

8313) before adjournment of Congress; to the Committee on Military Affairs.

6660. By Mr. McLAUGHLIN: Petition of Clarissa A. Painter and 33 other residents of Newaygo County, Mich., urging passage of bill providing increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

6661. By Mr. MAJOR of Missouri: Petition of citizens of Cole Camp, Mo., protesting against the passage of House bill 78 or any other compulsory Sunday bills; to the Committee on the District of Columbia.

6662. By Mr. O'CONNELL: Memorial of the Legislature of the State of New York, with reference to the project of an all-American ship canal across the State of New York, connecting the Great Lakes with the Atlantic Ocean; to the Committee on Rivers and Harbors.

6663. Also, petition of the Gottfried & Marshall Co., New York City, opposing the passage of the McNary-Haugen bill; to the Committee on Agriculture.

6664. Also, petition of the National Fertilizer Association, Washington, D. C., opposing the amendment to the Norris Muscle Shoals resolution, placing the Government in the fertilizer business; to the Committee on Military Affairs.

6665. Also, petition of the Hollywood Chamber of Commerce, Hollywood, Calif., favoring the passage of the Colorado River project; to the Committee on Rivers and Harbors.

6666. By Mr. WILLIAMSON: Petition of numerous residents of Wasta, S. Dak., for passage of legislation providing increased pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, April 11, 1928

(Legislative day of Monday, April 9, 1928)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had adopted a concurrent resolution (H. Con. Res. 29) accepting the statue of Andrew Jackson, by Mrs. Belle Kinney Scholz, with the thanks of Congress, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

| | | | |
|-----------|-------------|----------------|--------------|
| Ashurst | Edwards | McKellar | Shipstead |
| Barkley | Fess | McLean | Shortridge |
| Bayard | Fletcher | McMaster | Simmons |
| Bingham | Frazier | McNary | Smith |
| Black | Gerry | Mayfield | Smoot |
| Blaine | Glass | Metcalf | Steak |
| Blease | Goff | Moses | Steuwer |
| Borah | Gooding | Neely | Stephens |
| Bratton | Gould | Norbeck | Swanson |
| Brookhart | Greene | Nye | Thomas |
| Broussard | Hale | Oddie | Tydings |
| Bruce | Harris | Overman | Tyson |
| Capper | Harrison | Phipps | Vandenberg |
| Caraway | Hawes | Pine | Wagner |
| Copeland | Hayden | Pittman | Walsh, Mass. |
| Couzens | Heflin | Ransdell | Walsh, Mont. |
| Curtis | Jones | Reed, Pa. | Warren |
| Cutting | Kendrick | Robinson, Ind. | Waterman |
| Dale | Keyes | Sackett | Watson |
| Dill | King | Schall | Wheeler |
| Edge | La Follette | Sheppard | |

Mr. McNARY. I wish to announce that the senior Senator from California [Mr. JOHNSON] is absent on account of illness.

Mr. CARAWAY. I desire to announce that my colleague the senior Senator from Arkansas [Mr. ROBINSON] is necessarily detained by reason of illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

REPUBLICAN PRESIDENTIAL NOMINATION

Mr. DALE. Mr. President, as I was coming into the Chamber this morning I was handed a copy of to-day's New York Times. I was a little disturbed by what is stated in the Times as a classification of the delegates about to be elected to the Republican National Convention. I have not had any time to formulate what I have to say and it may carry more or less weight

because of that fact. I do want to say, however, that on the subject to which I refer I have never exchanged a word directly or indirectly with the President of the United States.

Under the classification in the New York Times it is stated that to the next national convention of the Republican Party the State of Vermont will send its delegates instructed, six for Calvin Coolidge and five for Herbert Hoover. This would mean that Vermont would send a split delegation. Mr. President, Vermont has never sent a split delegation to a national convention. That does not express the character of the people of the State of Vermont. From 1856 on Vermont has sent its delegation for or against some man. He has sometimes been nominated and sometimes he has not been nominated, but Vermont has been for him or against him. When the people of Vermont do anything, they do it that way. It is typical of the people of Vermont. They are for or against a man, or for or against a policy.

It is rather interesting in this connection to note that Vermont is the only State in the Union that has followed that course clear through to the present time. It is the only State in the Union that has cast its electoral vote without fail for a Republican candidate, and it will do the same in the coming election.

I do not undertake to say that the delegation in Congress from Vermont would assume to dictate what Vermont will do. We do not dictate to the people up there. We do not even ask to be sent as delegates from Vermont to the national convention. But the people of Vermont come in and consult with us once in a while when they are here. I have an idea what the people of Vermont will do. I know in my own mind what they ought to do, what is the reasonable thing for the people of Vermont to do, and I express it as my judgment that when Vermont sends her delegates to the national convention she will send them as one man instructed to vote for her native son for President of the United States—Calvin Coolidge.

Mr. HEFLIN. Mr. President, I was just entering the Chamber when the Senator from Vermont concluded his statement, saying that Vermont would send to the national convention a solid delegation for Mr. Coolidge. I wonder if Mr. Hoover has withdrawn.

YESTERDAY'S ELECTION IN ILLINOIS

Mr. CARAWAY. Mr. President, at the risk of a breach of the proprieties, but certainly with the kindest intentions, I want to congratulate the great State of Illinois and the splendid Senator from that State on the election held in Illinois yesterday. It restores one's confidence in the people's rule.

PETITIONS AND MEMORIALS

Mr. REED of Pennsylvania presented a memorial of the Philadelphia (Pa.) Board of Trade, remonstrating against the passage of the bill (S. 3508) to increase the number of members of the Federal Reserve Board, to make the board more representative, to provide for the proper control and equitable distribution of the credit supply, to establish closer contact between the Congress and its agent, the Federal Reserve Board, and for other purposes, which was referred to the Committee on Banking and Currency.

Mr. WARREN presented a resolution adopted by the Cheyenne (Wyo.) Chamber of Commerce, favoring the passage of legislation to provide for aided and directed settlement on Federal reclamation projects, which was referred to the Committee on Irrigation and Reclamation.

Mr. BLAINE presented memorials signed by 64 citizens of the State of Wisconsin, remonstrating against the passage of legislation tending to lessen the restrictions placed upon the importation of chilled and dressed meat from Argentina, which were referred to the Committee on Finance.

Mr. BROOKHART presented a resolution adopted by the annual convention of the Iowa Pharmaceutical Association, favoring the passage of the so-called Jones-Stalker bill, relative to prohibition enforcement, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the annual convention of the Iowa Pharmaceutical Association, favoring the passage of the bill (S. 1418) to protect trade-mark owners, distributors, and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguishing trade-mark, brand, or name, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the annual convention of the Iowa Pharmaceutical Association, protesting against the passage of the bill (S. 2035) to regulate the distribution and sale in interstate commerce of certain toilet articles, which was referred to the Committee on Interstate Commerce.

Mr. PHIPPS presented telegrams and papers in the nature of petitions from Russell A. Alger Camp, No. 24, United Spanish War Veterans, of Boulder; Victor Candlin Post, American Legion, of Greeley; Robbins-McMullen Post, American Legion, of Grand Junction; Stanley Hardman Post, American Legion, and Auxillary, of Trinidad; Ray Lines Post, American Legion, of Salida; Harold Dehaan Post, American Legion, of Fort Morgan; and the State regent and Daughters of the American Revolution of Colorado, of Colorado Springs, all in the State of Colorado, praying for the adoption of the proposed naval building program, which were referred to the Committee on Naval Affairs.

He also presented telegrams and papers in the nature of memorials from the executive board of the city Young Women's Christian Association, of Fort Collins; the Labor College Discussion Club, of Colorado Springs; the Women's International League for Peace and Freedom, of Colorado Springs and Boulder; First Baptist Church, of Greeley; First Grand Valley Church of the Brethren, of Grand Junction; Denver Friends Church and the First Congregational Church, of Denver; and sundry citizens of Briggsdale, all in the State of Colorado, remonstrating against the adoption of the proposed naval building program, which were referred to the Committee on Naval Affairs.

On request of Mr. PHIPPS, the resolutions adopted by Russell A. Alger Camp, No. 24, United Spanish War Veterans, of Boulder, Colo., together with copy of the reply Mr. PHIPPS has sent to all Colorado citizens interested in the subject, were ordered to be printed in the RECORD, as follows:

Resolution

Whereas various pacifist organizations are engaged in an attempt to have the citizens of this community write letters to their Senators and Congressmen urging that all efforts be used to defeat the naval appropriation bill now before Congress; and

Whereas these organizations have prevailed upon various ministers of the community to make similar request of the members of their congregations; and

Whereas the arguments used by these organizations are based upon misrepresentations, both as to the contents of the present bill and as to the effects of the passage thereof; and

Whereas in the opinion of Russell A. Alger Camp, No. 24, United Spanish War Veterans, letters obtained by the means being used do not represent the true consensus of opinion of this community and are signed by many persons without consideration: Now, therefore, be it

Resolved by Russell A. Alger Camp, No. 24, United Spanish War Veterans, That we are heartily in favor of the attempt being made by the present naval appropriation bill to place the American Navy upon terms of equality with that of any other navy in the world; and be it further

Resolved, That we are of the opinion that the cause of peace which is ardently desired by all will be advanced by strengthening our Navy; and be it further

Resolved, That the present naval appropriation bill has not been introduced for the purpose of instituting a so-called "naval race" but only to place our Navy on a par with that of Great Britain, not with the idea of competing with England for the greatest navy but with the end in view that the English-speaking peoples may continue to work in harmony for the advancement of world peace; and be it further

Resolved, That a copy of these resolutions be sent to our Senators and Representatives in Congress and a copy be given to each of the local newspapers.

RUSSELL A. ALGER CAMP, No. 24,
UNITED SPANISH WAR VETERANS,
Boulder, Colo.

By IRA C. GROMER, Commander.

Attest:
[SEAL.]

GEO. L. EGBERT, Adjutant.

UNITED STATES SENATE.

February 14, 1923.

MY DEAR SIR: Acknowledging receipt of your recent favor, allow me to say that, as in the case of former naval appropriation bills, I am considering the present one in the light of the needs of the United States for preparedness in national defense.

The entire subject is receiving my most careful attention, and I do not feel that there is any occasion for alarm over unnecessary enlargement of the naval program. As you are probably aware, I have consistently supported proper measures to advance the cause of peace among the nations.

Your interest in these important subjects is appreciated.

Yours sincerely,

LAWRENCE C. PHIPPS.

REPORTS OF COMMITTEES

Mr. DALE, from the Committee on Commerce, to which was referred the bill (S. 3843) authorizing the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Nebraska

City, Nebr., reported it with amendments and submitted a report (No. 776) thereon.

Mr. CUTTING, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 2097) to provide for the protection of municipal watersheds within the national forests, reported it without amendment and submitted a report (No. 777) thereon.

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 4378) to authorize the Secretary of the Interior to dispose by sale of certain public land in the State of Florida, reported it with amendments and submitted a report (No. 778) thereon.

Mr. REED of Pennsylvania, from the Committee on Military Affairs, to which was referred the bill (S. 3458) to create the reserve division of the War Department, and for other purposes, reported it with an amendment and submitted a report (No. 779) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 116) to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild life and fish refuge," approved June 7, 1924, reported it without amendment and submitted a report (No. 780) thereon.

Mr. COPELAND, from the Committee on the District of Columbia, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1625) to fix the salaries of the members of the Board of Commissioners of the District of Columbia (Rept. No. 781); and

A bill (H. R. 7722) authorizing the health officer of the District of Columbia to issue a permit for the opening of the grave containing the remains of the late Nellie Richards (Rept. No. 782).

Mr. COPELAND also, from the Committee on the District of Columbia, to which was referred the bill (S. 1624) to authorize the payment of additional compensation to the assistants to the engineer commissioner of the District of Columbia, reported it with an amendment and submitted a report (No. 783) thereon.

Mr. WALSH of Montana, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment and submitted a report as indicated:

A bill (S. 3640) authorizing acceptance from Peter G. Gerry of the gift of the law library of the late Elbridge T. Gerry; and

A bill (H. R. 6687) to change the title of the United States Court of Customs Appeals, and for other purposes (Rept. No. 784).

He also, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 126) to add certain lands to the Missoula National Forest, Mont., reported it with an amendment and submitted a report (No. 785) thereon.

Mr. BORAH, from the Committee on Foreign Relations, to which were referred the following bills and joint resolutions, reported them severally without amendment:

A bill (H. R. 8128) to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratory;

A bill (H. R. 9569) authorizing the payment of an indemnity to the British Government on account of the death of Reginald Ethelbert Myrie, alleged to have been killed in the Panama Canal Zone on February 5, 1921, by a United States Army motor truck;

A bill (H. R. 12179) to provide for the reimbursement of the Government of Great Britain on account of certain sums expended by the British chaplain in Moscow, the Rev. F. North, for the relief of American nationals in Russia in 1920;

H. J. Res. 145. Joint resolution to provide for the payment of an indemnity to the Chinese Government for the death of Chang Lin and Tong Huan Yah, alleged to have been killed by members of the armed forces of the United States;

H. J. Res. 146. Joint resolution to provide for the payment of an indemnity to the Dominican Republic for the death of Juan Soriano, who was killed by the landing of an airplane belonging to the United States Marine Corps;

H. J. Res. 147. Joint resolution for the relief of the estate of the late Max D. Kirjassoff;

H. J. Res. 148. Joint resolution to provide for the payment of an indemnity to the British Government to compensate the dependents of Edwin Tucker, a British subject, alleged to have been killed by a United States Army ambulance in Colon, Panama;

H. J. Res. 149. Joint resolution to authorize an appropriation for the compensation of William Wiseman;

H. J. Res. 150. Joint resolution to provide for the payment of an indemnity to the Government of the Netherlands for compensation for personal injuries sustained by two Netherlands

subjects, Arend Kamp and Francis Gort, while the U. S. S. *Canibus* was loading on May 1, 1919, at Rotterdam;

H. J. Res. 151. Joint resolution to provide for payment of the claim of the Government of China for compensation of Sun Jul-chin for injuries resulting from an assault on him by a private in the United States Marine Corps;

H. J. Res. 152. Joint resolution authorizing and requesting the President to extend invitations to foreign governments to be represented by delegates at the International Congress of Entomology to be held in the United States in 1928;

H. J. Res. 230. Joint resolution to provide for the membership of the United States in the American International Institute for the Protection of Childhood; and

H. J. Res. 262. Joint resolution requesting the President to extend to the Republics of America an invitation to attend a conference of conciliation and arbitration to be held at Washington during 1928 or 1929.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SWANSON:

A bill (S. 4015) granting a pension to Maud M. Whitton (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 4016) amending section 200, of the World War veterans' act, 1924; to the Committee on Finance.

A bill (S. 4017) authorizing and directing the Secretary of the Treasury to enter into a contract or contracts for the erection and completion of a plant suitable for the investigations of the United States Bureau of Mines in Bartlesville, Okla., and authorizing an appropriation therefor; to the Committee on Mines and Mining.

A bill (S. 4018) granting an increase of pension to Greta J. Lundstrom; to the Committee on Pensions.

A bill (S. 4019) authorizing an appropriation to reimburse the State of Oklahoma for moneys paid by it for the education of restricted Indian children in the public schools of the State; and

A bill (S. 4020) to regulate the payment of the Pawnee annuity; to the Committee on Indian Affairs.

By Mr. NORBECK:

A bill (S. 4021) granting a pension to Ella Oldham Nash (with accompanying papers); to the Committee on Pensions.

A bill (S. 4022) authorizing the Secretary of the Interior to lease land in Stanley County, S. Dak., to Henry A. O'Neil for a buffalo pasture; to the Committee on Public Lands and Surveys.

By Mr. WATSON:

A bill (S. 4023) granting a pension to John H. Sullivan; and

A bill (S. 4024) granting an increase of pension to Laura M. Fertich; to the Committee on Pensions.

By Mr. DALE:

A bill (S. 4025) granting an increase of pension to Catherine Folsom (with accompanying papers); to the Committee on Pensions.

By Mr. SCHALL:

A bill (S. 4026) granting an increase of pension to Reese Davis; to the Committee on Pensions.

By Mr. FESS:

A joint resolution (S. J. Res. 126) authorizing the erection in the District of Columbia of a monument in memory of Peter Muhlenberg; to the Committee on the Library.

AMENDMENT TO FARM RELIEF BILL

Mr. SHIPSTEAD submitted an amendment intended to be proposed by him to Senate bill 3555, the farm relief bill, which was ordered to lie on the table and to be printed.

AMENDMENT TO CIVIL SERVICE RETIREMENT BILL

Mr. BRUCE submitted an amendment intended to be proposed by him to the bill (S. 1727) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, approved July 3, 1926, which was ordered to lie on the table and to be printed.

MEMORIAL SERVICES FOR THE LATE SENATOR FERRIS

Mr. COUZENS. Mr. President, I send to the desk a resolution, and, after it shall have been read, I ask unanimous consent that it may be considered and agreed to.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 195), as follows:

Resolved, That Sunday, May 6, at 3 o'clock p. m., be set aside for memorial addresses on the life, character, and public services of the Hon. WOODBRIDGE N. FERRIS, late a Senator from the State of Michigan.

Mr. CURTIS. Mr. President, at what hour does the Senator from Michigan desire that the memorial services shall be held?

Mr. COUZENS. At 3 o'clock. I ask that the resolution may be so modified.

The resolution as modified was considered by unanimous consent and unanimously agreed to.

SALARIES OF OFFICERS, UNITED STATES COURT FOR CHINA (S. DOO. NO. 83)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on the Judiciary and ordered to be printed.

To the Congress of the United States:

I transmit herewith a report from the Secretary of State regarding certain legislation authorizing salary increases for the judge and other officers of the United States Court for China. I concur in the view of the Secretary of State, and I therefore request of the Congress legislation amending section 6 of the act of June 30, 1906, Public No. 403, Fifty-ninth Congress, and the act of June 4, 1920, Public No. 238, Sixty-sixth Congress.

CALVIN COOLIDGE.

THE WHITE HOUSE, April 11, 1928.

VICKSBURG NATIONAL MILITARY PARK, MISS.

Mr. STEPHENS. Mr. President, there is some need for immediate action on a bill which is now on the calendar, being Order of Business 753, House bill 10564. The bill merely proposes to grant the right to straighten a road through the Vicksburg National Military Park in the State of Mississippi. The Secretary of War has written a letter regarding the matter, in which he states there is no objection on the part of the War Department to the passage of the bill. I ask unanimous consent for its immediate consideration.

Mr. CURTIS. Does the bill propose merely to straighten a road?

Mr. STEPHENS. Yes, sir.

Mr. CURTIS. And there will not be any expense to the Government in building the road or anything of that kind?

Mr. STEPHENS. I understand that it will not cost the Government anything at all; in fact, the bill provides that it shall not.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10564) to authorize the Secretary of War to grant and convey to the county of Warren a perpetual easement for public highway purposes over and upon a portion of the Vicksburg National Military Park in the State of Mississippi, which was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to grant and convey to the county of Warren, State of Mississippi, a perpetual easement for the construction and maintenance of a public highway on the Vicksburg National Military Park, Vicksburg, Miss., at such location and under such conditions as may be approved by the Secretary of War: *Provided*, That the county of Warren shall perform at its own cost and expense such work as the Secretary of War may require incident to the construction and maintenance of said highway.

Sec. 2. No part of the property granted and conveyed by the Secretary of War for the purposes aforesaid shall be used for any other than highway purposes, and when said property shall cease to be so used it shall revert to the United States of America.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ACCEPTANCE OF STATUE OF ANDREW JACKSON

The VICE PRESIDENT. The Chair lays before the Senate House Concurrent Resolution 29, to which he calls the attention of the Senator from Tennessee [Mr. TYSON]. The clerk will read the resolution.

The Chief Clerk read the resolution (H. Con. Res. 29), as follows:

Resolved by the House of Representatives (the Senate concurring), That the statue of Andrew Jackson by Mrs. Belle Kinney Scholz, presented by the State of Tennessee, to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statue of one of its most eminent citizens, illustrious for his distinguished services to the country in war and in peace.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Tennessee.

Mr. TYSON. I ask unanimous consent for the immediate consideration of the resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

NATIONAL GUARD STAFF OFFICERS

Mr. REED of Pennsylvania. Mr. President, some days ago House bill 239, of similar tenor to the bill (S. 1838) to amend section 110 of the national defense act by repealing and striking therefrom certain provisions prescribing additional qualifications for National Guard State staff officers, and for other purposes, was substituted for that measure and passed. It was understood at the time of the passage of the House bill that the Senate bill would be indefinitely postponed, but as the bill appears on the calendar apparently that has not been done. I ask unanimous consent that it be done now.

The VICE PRESIDENT. Without objection, Senate bill 1838 will be indefinitely postponed.

ADDRESS OF WILLIAM E. DODD, LL. D.

Mr. CAPPER. Mr. President, I have here a copy of an interesting address entitled "A Farmer to Lawyers," which was delivered by Dr. William E. Dodd, professor of American history in the University of Chicago, to the graduating class of the John Marshall Law School. Doctor Dodd sets forth his practical observations based on personal experience in operating a Virginia farm. I ask unanimous consent to have the address printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A FARMER TO LAWYERS

I

Members of the graduating class, lasting changes in the social order come slowly. A hundred and fifty years ago the farmer and the free tenant were the makers of a new nation. Their representatives a little later formulated one of the greatest of Constitutions. To-day the farmer and the tenant seem clearly on the road to peasantry, and neither they nor any of their few friends seem able to stay their downward course.

If this process continues, the United States will cease to be what it was or is intended to be, and the process hastens. The efforts at cooperative marketing, of controlled production, and of effective legislation seem all to have failed. The President vetoes bills without offering better ones; the open-and-shut markets of the cities continue their unmitigated exploitation; while newer and richer lands cease to offer relief, as of old.

The farmers, who composed 98 per cent of the population in the beginning—and then were only fairly able to direct the policy of the country—now number some 40 per cent of the population and frantically hope to direct national policy. The prospect is so poor that 649,000 farmers abandoned their calling in 1926; 3,000,000 have abandoned it since 1920, while all the cities increase their numbers with little thought or care for the future. Is there any help? Possibly a hasty review of our history may offer an answer.

II

From the adoption of the Constitution till the fall of Napoleon the farmers of the young Nation, proud of their country and happy to be called free farmers, sold their abundant crops to a warring Europe at fabulous prices. Washington said there had never been anything like it; President Jefferson found the returns of the farmers twenty times as great per year as he had ever known them to be in the best days of his youth. Whether the Government was administered by doubtless aristocrats, afraid of their new system, or the bolsterous Democrats boasting of the best Government ever set up by the hand of man, prosperity was the rule of the day, above all, for the farmers.

Then the wars of Napoleon ceased. After a dizzy moment of drunken prosperity the Europeans reduced their demands by half. American wheat and tobacco and pigs lost all value to their producers. Farmers were in the throes of deflation, a term then hardly known. John Adams, retired to his little farm, was barely able to hold up a respectable head. Thomas Jefferson, with a hundred slaves, was hardly able to feed his guests. Virginia farms would hardly sell for the price of a year's rent. From Massachusetts to Georgia thousands and tens of thousands of farmers abandoned their homes and lands and trekked across the Alleghenies to try their fortunes anew in the wilderness.

The savings of small farmers for a generation, the houses, the fences, and the cleared lands were sadly abandoned to mother nature. Hanover County, in Virginia, where the Revolution had started, and the Springfield country of Massachusetts, each lost half its population. Times were hard. Governments, State and national, did nothing. Who could help a farmer?

But during the long Napoleonic wars hundreds and thousands of industrial establishments were set up. They made the bonnets of farmers' wives; fashioned boots for the clumsy feet of plowmen; contrived new and better plows for the making of more wheat and tobacco. The moment Napoleon fell British industrialists offered marvelous bonnets and all manner of implements to farmer folk at prices half as high as

the domestic manufacturers asked. If the farmer sold any of his crop, he might buy imports at half war-time prices. But the industrialist would be ruined. He would have to become a farmer, abandon his buildings and his improvements. Did the Government lend assistance?

In 1816 the farmer nationalists, led by farmer statesmen, Calhoun and Clay, contrived a system of industrial help, a tariff that reduced British competition by half, and thus opened the American market by half.

In a few years the industrialist was more than successful. Few trekked over the mountains. But success by Government assistance increased the number of industrialists twofold. They began to compete among themselves. In 8 years they asked for a monopoly of the American market; in 12 they got their wish in a tariff that eliminated the farmers—the tariff of abominations, 1828. But Jefferson's beautiful estate, which had cost \$25,000, was sold in 1828 for \$2,800, his daughter accepting gifts for her maintenance in her old age. The only farmer who could hold his own was the cotton grower, and he held his own on a market that steadily declined from 40 cents to 8 cents a pound for cotton grown by slave labor on fresh lower southern lands.

Here was an illustration: The clever men, who composed less than a tenth of the population, procured from the Government a monopoly of the great American market; the unclever farmers, who composed 90 per cent of the population, sold their output in a slow European market in competition with the whole world, and then came home to buy their clothing and farm utensils at prices twice as high as those at which they might have had them in Europe. That was called statesmanship.

There was great bitterness in all the great farming States, bitter words, and angry threats of disrupting the Government, civil war was narrowly averted, the farmers yielding at last to the desires and the fears of the minority. That was 1833; and there followed a compromise by which the industrialists were to accept, after 10 years, a reduction of their privileges and allow some measure of competition from the outside. There followed an epoch of economic peace and a marvelous prosperity from 1846, the lowest tariff, to 1861, when the moderate rates of 1816 were effective. It was the end of the first chapter.

III

Then war again. The farmers of the Northwest, rallying to the call of the Union and of Abraham Lincoln, went upon southern battle fields and fought, as men have rarely fought, southern farmers even more heroic. In the process there arose in Chicago a great inventor manufacturer. He put drills and reapers upon the grain fields whence hundreds of thousands of farmers' sons had gone to war. Old men and women made more wheat and raised more pigs than had been raised in time of peace. And war raised the price a hundred per cent. Abraham Lincoln was winning the war for the Union. Then English and Germans harvests failed—failed in 1862 and 1863. There was an unprecedented demand for American wheat, and even corn. The price rose from 50 cents a bushel in 1861 to \$2.50 in 1865. War and Cyrus McCormick, a good Virginian, gave the farmers a prosperity they had not known since Washington and Jefferson had built the Nation on farmer prosperity. It was a strange time, a loyal Southerner in Chicago winning the war against the South.

But the war also made tens of thousands of industries flourish in unwonted style. Woolen mills earned fortunes, implement makers quadrupled their dividends, munitions makers had the time of their lives, and railroad builders and managers laid the foundations of fortunes that a little later dazed the world. It was war, war for democracy.

The Union was saved. There was a northern debt of \$3,000,000,000, a debt evidenced by bonds, payable in gold and in paper money as well. When the war ended these bonds, or more than 90 per cent of them, hastened to Philadelphia and New York and Boston, where, under the new banking system, the control of the Nation's currency had drifted. The end also witnessed, after a feverish day of speculative prosperity, a decline of the price of farm products. The decline became a slump. The hundreds of thousands of soldiers, farmers' sons, went home to their farms. They increased the output of the farms while Europe decreased her demands for American wheat and corn and pigs. Was the farmer again to fall a victim?

The price of woolen goods fell. Munitions were no longer needed. But southern cotton came back on the market and cotton cloths were in reasonable demand. But fearing the future, as business men ever fear the future, the industrialists asked protection against every sort of competition in order that they might pay high wages—and then sent to Europe for hundreds of thousands of workers to keep wages down. The Government (all the southern planter lawmakers kept at a safe distance) granted the protection and sent agents to Europe to urge immigration, immigration that mounted to half a million a year in a little while. It was privilege, vast privilege.

The farmer, as I have said, went home to his fields in 1865. The price of wheat fell from \$2.50 a bushel in 1865 to 60 cents in 1896. However, the vast fields of the West lay wide open and the land was

free. The drill, the corn planter, and the reaper enabled the farmer to produce untold quantities of grain and livestock. It was the day of free trade in England and Germany. Hence, the men who had fought the battle of common men in the Civil War now poured their wheat into European markets to ruin their brethren in Europe. They drove the English farmers into bankruptcy, if a farmer knows what that means. Industrial cities took these ruined farmers into their employ or left them to emigrate to the United States—millions of them.

But the United States, after her war for democracy, kept the tariff bars so high that the goods of European mills could not get to the toiling farmers of the West and South, while vast fleets turned hordes of poor European workers into New England and the Middle States and literally changed the face of the country—a revolution, nobody observing it.

Nor was this all. The farmers back on their farms must pay the cost of their own fighting in the Civil War, \$3,000,000,000, a then unprecedented sum. They received greenbacks for their wheat at low rates. They paid for their supplies in greenbacks at high prices, because the Government compelled them to do so. They wished to pay the debt in greenbacks, debts owed to a small number of men who had done little fighting. The Government compelled them to pay in gold; gold then—and long after 1865—at a premium of 25 per cent.

It was perhaps necessary, but it looked unfair; the tariff-protected industry in its demand for high prices; it now protected the holders of the debt in a similar demand for high prices, high prices for bonds that had been bought for 60 or 70 cents on the dollar. The farmer had gone home to pay himself for fighting. In order to do so he had to ruin European farmers. With the meager returns he paid in gold the debt that had been bought in greenbacks. That was statesmanship.

The statesmanship of Sherman and Blaine and Grant; but it did not lend good humor to the countenance of western farmers. The world was a sad complex, all bound together in spite of wars and tariffs; the victims were the men who had saved the Union. What of the cotton farmers, stepchildren of the Republic? Their fight had failed—needful failure. Their debt to themselves was simply canceled, repudiated to break down all inequality, to make democracy real in the South. The price of cotton was high. It took 20 years for the South to get back to normal in the cotton markets, the price of each crop falling. The South was poorer than it was safe for any great section to be, many thousands moving away to the Southwest, where land was free. Others moved into the Northwest to make wheat cheaper than it was. Lands and ancient homes were deserted as lands and homes had been deserted in 1820–1830.

Somebody set about a scheme to unite the restless West with the broken South. If they united they might control the United States and learn the way to self help, farmers thus taking the control of things into their own hands, as they had done when young Calhoun and Clay tried their powers in 1820, tariffs and paper money and great banks to the contrary notwithstanding. But then somebody reminded them that the two sections of farmers had waged the Civil War. They must vote as they had shot; and children must vote as fathers had shot. There was an end of farmer self-help. Neither Bryan nor Roosevelt found any way to share with the farmers the vast and unprecedented prosperity of the new and unprecedented Republic. A single State in the East received twice as much of the annual income of the country as all the 13 Southern States!

Hundreds of thousands of farmers and children of farmers moved into the thriving cities. They sought places in the mills, on the railroads, in the great business houses, counting the money.

But in the cities, the glare of electric lights blinding men's eyes, the vanities of politicians deceiving their minds, the sons of farmers met the incoming hordes of Europe, poor European farmers competing with poor American farmers—all being led by the garish lights of a new and marvelous revolution which filled the world with cities and filled the cities with hosts of strange men talking strange languages, talking and drinking—then organizing and fighting.

Workingmen's unions, high prices for the better grades of labor; employers' unions setting higher prices on manufactured goods, on the products of the farm; tradesmen guilds that took from the farmers their pigs and lambs, their fruit and vegetables at prices of their own making, sometimes sending to the farmers demands for more money with which to pay the freight on what had been taken; marvelous cities and more marvelous statesmen, those of Roosevelt's and Bryan's restless day.

Only Europe making ready for another war and organized labor talking of a coming class struggle relieved a little the strain of things during the first decade of the twentieth century. The great farmer's country was ceasing to be a farmer's country, hundreds of thousands trekking again, their earthly possessions on their backs, into the cold northwestern stretches of Canada—the populations of the cities ever mounting into the millions, that of the country declining to less than half the total of the country, western farmers still hating southern farmers. By that process the politicians sustained themselves and the exploitation went on. The first of the great wars of the young Republic started the

process, 1812–1815; the second and greater sectional war carried it further, 1861–1865. Would there be another war?

IV

In 1914 the leaders of the German Empire precipitated Europe into a war long prepared for, a war which, like every preceding war, upset the life and changed the destiny of farmers on the wide plains of free America. It was not long till pigs sold again at fabulous prices and cotton set poor southerners' heads crazy. Ten cents a pound for pork on the hoof, 20 cents a pound for cotton leaving the gins, beef and wheat likewise pouring at similar prices into the great caldron of war. The cities filled all the industrial chimneys with insufferable smoke; the railroads wore out their tracks and their wheels carrying their burdens of munitions at huge profit to the scene of red and devastating war. A third time the industrialists and the farmers were prosperous together, farmers driving Fords, business men Packards. Prosperity!

Would it last? But the roar of war became more and more audible. The President of the Republic came slowly to see that a German victory would work a change in the social status of the modern world, not omitting the United States. He, like Lincoln, thought to make the world safe for democracy, his opponents wondering whether they would like a democratic world, quite as Lincoln's opponents had wondered. He led the farmers into the war, millions of the sons of farmers, along with their fellows from the cities. The price of wheat rose \$1 a bushel; cotton now sold for 30 cents a pound, and pigs at 15 cents on the hoof. War was the bonanza of the farmer, devastating war, the price of land mounting, the migrating westerners coming back to their abandoned homes, poor negroes hastening to northern cities to fill the vacant places the fighting Europeans could not fill. It was revolution blessed with amazing prosperity.

But the war came to an end. There was again a day of deceitful riches; and then a collapse, first of farmers, next of business in the cities. The world outside struggled between war and peace, the President, broken and hated for his scheme of peace that was failing, departed. He gave place to another, to a new régime that would save business if nothing else—a city régime made up of the fragments of all nations, bent upon a policy of oblivion and isolation. It was but another day till Europe once more ceased to buy cotton and wheat and pigs; the farmers were cast down from their high prosperity. Cotton could not be sold; wheat fell below the cost of production—dire distress. From 1921 till the present moment the experience of 1820, of 1866, repeated itself.

There was poverty wherever men produced the foodstuffs of the country; fair prosperity elsewhere. But the fears of 1921, like those of 1866 and afterwards, raised again the protecting wall against European competitors who would see European goods at low prices and buy American farm products at rising prices. The fear of cheap imports raised the tariff walls higher than ever before. That secured the prosperity of business; it doomed the farmer, for no protective tariff could help him, nor were rich, vacant lands anywhere.

Somehow society found a way to relieve the fears and distress of those who own mills, run railroads, and operate the finances of the country. The price of manufactured products scarcely fell at all; the returns on railway investments were stabilized by official guaranty of 5½ per cent; the banks lent money at fixed and stable rates. Everybody received help save those who needed it. Statesmanship!

The farmers sought legislation in their behalf. They failed. The farmers of sufficient wealth and alertness organized and undertook, like organized labor, to help themselves. Business turned upon them with anger and fear; nothing was quite so wicked as the Farmer-Labor Party of the Dakotas or the effort of La Follette and his kind to compel national assistance. Some men, like CHARLES G. DAWES and Frank O. Lowden, thought they saw the injustice of it all. They were hushed up, threatened with ruin if they spoke their protests. The year 1924 registered the biggest protest against farmer self-help that was ever registered.

And now the farmer sells in city markets controlled by the buyers; he sells his surplus of wheat and beef in Europe at a price which competition with Australia and South America fixes; all the vast funded debt of the Great War is collected in a few hands in eastern cities, and the nations of Europe owe the United States sums three times as large as the national debt of 1866, the evidence of these debts being in the safety vaults of the great cities.

If the farmer organizes to command his own prices, the prices of what he buys will be raised in proportion, for organized labor would strike when the price of bread rose. If the farmer suggests that protection to manufacturers be lowered for his benefit, he is frightened with a threat of economic panic. If he timidly suggests that European debts be lowered or canceled in the hope of better European markets, he is reminded of "repudiation," as he was in 1870. Then he goes once more to Congress, where he procures the passage of a law which was designed to benefit him. The President vetoes it.

V

Is the American farmer to become a peasant? If the sons of farmers continue to fill the vacuum of the cities due to restricted immigration,

if the wealthier farmers and prosperous men from the cities continue to buy great tracts of land and set up industrial units of the farms, there may be a new farm feudalism which may secure a reasonable return for farm products. That would mean the slow disappearance of the millions of free, "independent" farmers, such as Jefferson imagined when the Republic was created. It would surely mean great numbers of the more stupid of the country working for wages or as tenants on the lands of others, working and unable to better their condition, unambitious and broken like their forbears in Europe.

If the farmers become peasants the wide "foreign districts" of the cities will hardly escape a similar lot. Is that to be the outcome of "free lands for all," of free speech and self-government, of that fine program of democracy which for more than a century has been held out to the underdogs of Europe? If history has any lessons for men, it offers this warning and remonstrance.

It is not a day for complacent big-city politics. Is it peasantry for the farmers and feudalism in the world of industry and business? Southern men and western leaders might well take stock of their resources and seek a new deal in the politics of the time.

GOVERNOR SMITH'S CANDIDACY

Mr. EDWARDS. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial from the Statesville (N. C.) Daily relative to the candidacy of Governor Smith.

Mr. CURTIS. Mr. President, what is the request?

The VICE PRESIDENT. The Senator from New Jersey asks to have printed in the RECORD an editorial in connection with the candidacy for President of Governor Smith. Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

J. W. BAILEY FOR SMITH

Mr. Josiah William Bailey's decision to support Governor Smith means, it is believed, a considerable strengthening of the Smith forces in the State. For many years Mr. Bailey has been a Democratic leader—a real leader of consequence. He was a candidate against Governor McLean four years ago and received strong support in the primary. It is not supposed, of course, that Mr. Bailey will carry all his following into the Smith column, or that he will try to do that. What is meant is that one of his influence and standing will carry much weight for the New York Governor, and his position will not be easily assailed.

First off, Mr. Bailey's record as to prohibition is above reproach and its sincerity is unquestioned. He was canvassing the State for prohibition and its enforcement when some of our present "outstanding leaders" were not saying much. He is personally as well as politically dry. Second, he has reached the conclusion to support Smith after long deliberation. He has not acted hastily. He dismisses the religious end of the matter without discussion. Mr. Bailey stands for religious freedom in reality, in deed as well as in word. He holds that one of his religious faith (Baptist) can't raise the religious issue against anybody. On the question of prohibition he would ordinarily be against Governor Smith, and on that probably the eminent Raleigh lawyer has hesitated. But he has decided that there are other things that matter. On that point he says:

"When I consider what has been going on in our country since Mr. Harding was inaugurated, I am convinced of my duty to disregard minor matters to the end that our country may be rescued from a party that has despoiled and disgraced it. It is indispensable that the Republican Party shall be driven from power in order that it may cleanse itself and that our country may be cleansed of its corrupting influences. I believe that Governor Smith is the one man who may be relied on to restore the Democratic Party to power, and that not to nominate him will be to invite the risk of giving the Republican Party four, and possibly eight, more years of power at a time when the welfare of our land demands that it shall instantly be turned out."

Mr. Bailey finds in Governor Smith the one hope of Democratic success, of rescuing the country "from a party that has despoiled and disgraced it." Cleansing the country from corrupting influences he naturally contends is essential. He finds in Governor Smith a man of admittedly high character and one of proven executive ability. That, too, is admitted by the unbiased. On the question of prohibition Mr. Bailey says:

"I do not entertain the possibility of repeal of the eighteenth amendment. There is no danger of that. It is not involved. I have no fear that the liquor evil would become worse under the Presidency of Mr. Smith. I think sound progress would be made toward the solution of that vexed problem. I believe that he would bring to the administration of laws enforcing the eighteenth amendment a common sense, a courage, an integrity, and a sincerity of purpose that would prove an invaluable contribution to the cause of temperance and to the solution of the drink evil in so far as it may be solved by law. As matters stand, insincerity and inefficiency are doing more to defeat the purposes of the eighteenth amendment than could possibly be done by any other means. Governor Smith has said that as President he would

maintain and enforce the eighteenth amendment. I believe him. Even his enemies testify to his integrity."

As a matter of fact the suggestion of the repeal of the eighteenth amendment is beyond the question. Neither the President of the United States nor Congress could repeal the amendment, nor is it believed that will be tried any time in the near future, if ever. But Governor Smith is not a prohibitionist, does not pretend to be. Those who will vote only for a prohibitionist on the ground that none except those who profess the name of prohibition will enforce the law, will, of course, oppose the governor. But come to think of it we have not since national prohibition had a President who claimed to be a prohibitionist. Harding was not and Mr. Coolidge has said nothing about it. About all the Republican presidential candidates who have declared themselves on prohibition have been content to say they favor the enforcement of the law, and some of them have said they opposed the repeal of the amendment. Not one, so far as recalled, said he opposed any change in the Volstead law. Of the leading candidates, Lowden has not answered and Hoover evaded, except in general terms. Governor Smith does favor the modification of the Volstead Act as to the alcoholic content of intoxicants, on the ground that the present law is dishonest. But in the event Congress should, as would be very doubtful, enlarge the alcoholic content to 2 or 3 per cent, the Smith idea is that the States should have power to say whether they would continue with one-half of 1 per cent, as now, or accept the definition of intoxicants in the improbable event Congress should enlarge the content. None of the Republican candidates have said anything about that. The only difference between them and Smith is that he has told the truth about his position. Democrats who do not favor the increase of the alcoholic content, who feel that would be fatal to prohibition, have ground for opposition to Smith. But they don't know what they will get from the Republicans.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House insisted upon its amendment to the bill (S. 1822) to authorize the Secretary of War to transfer or loan aeronautical equipment to museums and educational institutions, disagreed to by the Senate, agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JAMES, Mr. WAINWRIGHT, and Mr. GARRETT of Texas were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1628. An act relating to the office of Public Buildings and Public Parks of the National Capital;

H. R. 405. An act providing for horticultural experiment and demonstration work in the southern Great Plains area;

H. R. 3315. An act for the relief of Charles A. Black, alias Angus Black;

H. R. 5590. An act to authorize appropriations for construction of culverts and trestles in connection with the camp railroad at Camp McClellan, Ala.;

H. R. 5817. An act to provide for the paving of the Government road extending from St. Elmo, Tenn., to Rossville, Ga.; and

H. R. 9829. An act to extend the provisions of the act of Congress approved March 20, 1922, entitled "An act to consolidate national forest lands."

FARM RELIEF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3555) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce.

The VICE PRESIDENT. The question is on the amendment of the Senator from Tennessee [Mr. McKELLAR].

Mr. CURTIS. Let the amendment be stated.

The VICE PRESIDENT. The clerk will state the amendment.

Mr. McNARY. Mr. President, is that the amendment which was stated on yesterday and went over for the day?

The VICE PRESIDENT. It is.

Mr. CARAWAY. A number of Senators are now holding a conference on the amendment.

Mr. McNARY. In view of the conference now being held by some of the Senators representing portions of the South, I ask that the amendment may go over for a few moments.

Mr. CURTIS. I withdraw my request that the amendment be read.

The VICE PRESIDENT. The Senator from Oregon [Mr. McNARY] makes the request that the amendment go over for a

few moments, pending a conference. The bill is before the Senate as in Committee of the Whole and is open to amendment.

Mr. OVERMAN. Mr. President, I should like to have the amendment read. I do not know what it is.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. The Senator from Tennessee proposes the following amendment:

On page 5 strike out line 17 and down through the period in line 1 on page 6 and insert in lieu thereof the following:

"SEC. 4. (a) Whenever the board determines that any agricultural commodity may thereafter require stabilization by the board through marketing agreements authorized by this act, or whenever the cooperative associations, or other organizations representative of the producers of the commodity, shall apply to the board for the creation and appointment of the advisory council for such commodity, then the board shall notify the President of such determination or application. The President shall thereupon create an advisory council for the commodity. The advisory council shall be composed of seven members to be appointed by the President by and with the advice and consent of the Senate. No individual shall be eligible for appointment to a commodity advisory council unless he resides in the region in which the commodity is principally grown, and is a producer of the commodity. Prior to the making of any appointment to a commodity advisory council, the board shall transmit to the President for his consideration lists of individuals qualified for appointment, to be submitted to the board by cooperative associations or other organizations representative of the producers of the commodity. The term of office of a member of any commodity advisory council shall be two years. In the event of a vacancy occurring, the President shall fill such vacancy in the same manner as the originally appointed member, and, should Congress not be in session, such appointee shall hold office until 20 days after the convening of the next session of Congress."

Mr. CARAWAY. Mr. President, I desire to propose an amendment to the amendment. Commencing on page 2, in line 14 of the printed amendment, I move to strike out the words "appointed by the President by and with the advice and consent of the Senate" and insert the words "appointed by the board." I also move to strike out the remainder of lines 15, 16, 17, and 18 and the word "commodity," in line 19. I should like to have the attention of Senators who are interested in this particular matter, because the amendment proposed by the Senator from Tennessee seeks to change the whole purpose of the bill. If the amendment I have suggested should be adopted it would read as follows:

The advisory council shall be composed of seven members to be appointed by the board.

Then commencing in line 19—

Mr. SIMMONS. The Senator is now referring to the amendment proposed by the Senator from Tennessee.

Mr. CARAWAY. Yes; I am referring to that amendment. I propose to strike out the words "prior to the making of any appointment to a commodity advisory council the board shall transmit to the President for his consideration," and provide—

That the board shall appoint the members of the advisory council from a list of individuals submitted to the board by cooperative associations or other organizations representing the producers of the commodity.

Mr. SIMMONS. Mr. President, if the Senator will pardon me, I have not been able to follow his amendment.

Mr. CARAWAY. Let me explain it if I may to those who are interested in it. Whether Senators are for the bill or not, I wish those who expect to vote on it to understand what the two amendments seek to accomplish. The amendment proposed by the Senator from Tennessee seeks to set up an advisory council that shall be appointed by the President and confirmed by the Senate and shall be composed exclusively of those who are engaged in the production of the commodity for which the particular advisory council is set up. Under that provision, if a man had been a farmer but had become a marketing agent and was familiar with the marketing of the particular commodity he would be ineligible for appointment to the advisory council, although the council deals with marketing and not with production. In other words, one who is skilled in the marketing of a commodity unless he also produces that commodity would be ineligible.

It frequently happens that most of those who deal with the marketing of a commodity are only secondarily interested in its production. Cotton very largely is produced by the colored race in certain sections. The negroes frequently are very able farmers; they are good producers; but their weakness has always been their lack of knowledge of marketing.

The amendment submitted by the Senator from Tennessee proposes to take away from the farmers the right to choose

the best agent they can find to carry out their purpose, which is to market their products; for this bill primarily deals not with production, but with marketing. It has been thought by some of us that the farmer ought to be permitted to select as his agent the most skilled man he could find to handle the marketing of his products. And that is what the advisory council deals with exclusively. It has nothing to do with production. It has everything to do with the marketing of the product. Therefore it seems to me and to those who concur in that view that we ought to let the farmer have the right to select whatever agent he may choose.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CARAWAY. Yes.

Mr. McKELLAR. I think that feature of the amendment proposed by me can be easily remedied if the Senator would suggest additional language so as to make it read, for instance, "from producers or from those who engage in the marketing of farm products." I would be perfectly willing to accept such an amendment.

Mr. CARAWAY. I would not object to that, but I want, while I am referring to it, to explain the matter to the Senate.

Mr. McKELLAR. I should be perfectly willing to accept the Senator's suggestion as to that feature of the amendment.

Mr. CARAWAY. Then, let me speak about it briefly and see how far we go. We are not only exercising our judgment in a matter concerning the prosperity of 30,000,000 American citizens, but, indirectly, we are affecting every man and woman and child in America by this proposed legislation. If we are going to take over to a certain extent, the power that the farmer has to market his products, we ought to let him at least choose the instrumentalities from whatever source he sees fit to employ. He ought to have the same liberty of choosing his agents as has any man engaged in any other private business. If he wants to hire from the State of New York an expert in dealing with the marketing of cotton, although he never saw a stalk of cotton growing, I say let the farmer have the right to choose his agent among those who are entitled to be classed as experts and get them where he pleases. That is what the amendment I have suggested proposes to do.

The next objection is still more vital. The amendment of the Senator from Tennessee seeks to take away from the farmer the right to name his agent and gives it to the President of the United States. It introduces two things that I think are very hurtful. First, it denies the farmer the right to choose his agent, to be responsible for the choice, and to be in control of the agent. It gives him the right only to suggest to the President of the United States a list of names from which he should like to have his agent selected. There is no power to make the President respect that wish.

It requires the farmer to go with his hat under his arm and bow down to the powers that be, whoever may be the President of the United States at that time, and say, "With your permission, I should like to have my agent, who is going to be clothed with power to make me prosperous or to make me poor, named from this list. I have to say, though, that you can name anybody you please, because the Constitution gives you that right."

I do not want to tie the hands of every American farmer by transferring from him the right to select his own agent, and conferring that right upon whoever may be the President of the United States at that particular time. I do not care how friendly a President may be; I know, and every Senator on this floor knows, without impugning the motives of anybody who has been President of the United States, that interests, where they conflict, must trust largely to chance when it comes to the President naming somebody to fill some particular office. Those who do not have our viewpoint and yet are just as honest as we may have the ear of the President of the United States. He must listen to somebody; and therefore we introduce the element of chance where the bill gives us absolute certainty if we do not accept this amendment in this form.

What we who are willing to trust the farmers want is this: Let the advisory council be appointed by the board, but named by the producers of the commodity. The act of the board in that case would be purely ministerial. It would be compelled to respond to the agency that named the list. It would have no discretion. It could not say, "I will take one of 300." If the producers of a product should say, "We want you to name John Smith and Richard Roe," the board would be compelled to name those two people. The President of the United States, however, could name anybody he chose. Therefore, why do you want to take away from the farmers, who are to be most vitally affected, the right to name their own agents?

Who of you, engaged in private business, would be willing to submit to the President of the United States the decision as to who should be the cashier of your bank, or who should be your

bookkeeper, or who should be your farm foreman? There is not a Senator on this floor who would say, "I am willing to abdicate my right to have my business run by somebody that I select, and permit it to be run by a man that somebody else selects for me, although that other person may not know anything at all about my industry, and have no interest in it."

Under the amendment as we suggest, that the advisory council shall be appointed by the board from the names of those submitted by the people who produce the agricultural product, there is no uncertainty. The farmer will get whoever he wants. If he makes a mistake, he will know who made it. He can correct it.

If you take the other proposition, however, the President appoints and the Senate confirms; the man is there, and the farmer can not remove him to save his immortal soul. He becomes not the agent of the farmer, because, as we have all observed, under the right to appoint a man to office the appointing power becomes to a certain extent his master. We have seen that, and that is inevitable, and in one respect that is to be commended; but there may be harm in it. If the President names the advisory council, the advisory council no longer is responsive to the farmers, whose welfare it has in its keeping. It is responsive to the power that gave it life—that is, the President of the United States.

Senators, let me ask you to think about it for a minute. If you strike out the provision of the McKellar amendment, which gives to the President the right to appoint the advisory council, and adopt the language suggested, it says that the advisory council shall be appointed by the board from a list named by the farmers themselves, and the board must do it. It has no discretion in the matter. It is a ministerial act. So the farmer gets whoever he desires, and he can remove him when he pleases. He is the farmer's agent. He must represent the farming interest, because he gets his authority there, and he is responsive to that organization. He must account to them, and they can remove him if he proves recreant to his trust.

Are you willing to let the farmer choose his agent? Are you willing to let him say, "After I produce this agricultural product I at least ought to be permitted to name the agent who is going to determine when and how I am to sell it"? That is what there is in the amendment; and I sincerely hope that you will let the farmers name their agent, and let that agent be responsive to the farmers.

It seems to me unthinkable that we are willing here to set up a machine that has to do vitally with the prosperity of the farmer and deny him the exclusive right to control the machine that has to do with his market. It is a serious thing.

If you take the McKellar amendment, which says the advisory council shall be nominated by the President and confirmed by the Senate, then it is of equal rank with the board; but it has some powers, and the board has some, that are in conflict.

Neither one of them is superior to the other. You have responsibility and power separate, with equal rank, one with power and the other with responsibility. Inevitably, unless human nature changes, you will have conflicts, and the farmer will be the victim of a compromise which will not represent the best judgment of either agency; and necessarily you invite disaster, because another part of that amendment, to which I am now preparing to call your attention, says—and I agree with that—that no marketing period may be begun or terminated by the board without the assent of a majority of the advisory council. In other words, the board may find out that the facts are such that they ought to begin a marketing process in a certain product, but they can not do it until the advisory council says they may; or, having begun it, the board may find out that the conditions have changed, and they ought to discontinue it and let the farmer market as he pleases, and pay no equalization fee, but they can not do it unless the advisory council shall assent thereto.

They are both named by the President. They are both confirmed by the Senate. They have equal powers. One can not act without the other. They are necessarily, in my judgment, certain to come into conflict at some time; and the farmer is the helpless victim between these two powers, set up by the same agency, appointed by the same man, confirmed by the same Senate, and clothed with the same authority.

Senators, let me say that I am not unmindful of the grave responsibility that we assume when we enact this legislation. I am not unmindful that among many highly intelligent farmers there is grave apprehension that it may prove disastrous instead of helpful. I am not unmindful that it is an experiment. I have not indulged and I do not indulge the hope and the belief that the great benefits predicted by some will flow from the enactment of this legislation. I am hopeful that it

will point the way to the solution of a problem that is crying out for solution; that it will make it possible for the farmers to cooperate 100 per cent, and therefore become the masters of their own destiny instead of being the creatures of an industrial system that has been destroying them. That is all the hope that the legislation can hold out. If it has sympathetic and intelligent administration, it may realize the dream of those who have given years of their life to bring it about. If it has unsympathetic or unintelligent administration, it is going to bring humiliation and shame upon the people who have advocated its passage.

Therefore let us not tie the farmer hand and foot to the whim of the President of the United States; and I am not aspersing the President.

I am satisfied that he would do the very best he knew how; but he must take somebody's viewpoint, and that viewpoint may not be the viewpoint of the producers of these products, and therefore the instrumentality chosen may not be responsive to their needs. You can, however, write into the bill a provision that makes the farmer the absolute master of that situation. Nobody can be his agent unless he selects him, and nobody can continue to be his agent unless he wills that he shall be so. He will be responsive to the farmer, and therefore the farmer will have nobody to blame but himself if he gets a bad agent, and he will have the power to remove him if he is unresponsive to his needs.

I say that now because this other amendment follows that I referred to, providing that the advisory council shall have the power to veto the very heart and purpose of this bill if it wants to.

I am willing for the advisory council to have that power provided the advisory council is actually the agent of the producer, named by the producer and responsive to the producer, and subject to be removed by the producer if it proves unfaithful to its trust.

Mr. SWANSON. Mr. President, will the Senator yield?

Mr. CARAWAY. Yes.

Mr. SWANSON. I desire to ask the Senator some questions for information. I have not read the bill very carefully up to this time.

As I understand, the bill provides that the advisory council shall be appointed by the board.

Mr. CARAWAY. That is it.

Mr. SWANSON. This amendment provides that the advisory council shall be appointed by the President.

Mr. CARAWAY. And confirmed by the Senate; that is it. That is the difference.

Mr. SWANSON. As I understand, the Senator's contention is that we can not make limitations in fixing the conditions upon which the President shall or shall not make appointments, and that under a recent decision the President has absolute, unlimited power of removal.

Mr. CARAWAY. That is it.

Mr. SWANSON. If the advisory council did not concur with the policy of the President, if this amendment is adopted he could remove every member of the advisory council?

Mr. CARAWAY. Absolutely.

Mr. SWANSON. And retain or reappoint people agreeable to him, to carry out his policies?

Mr. CARAWAY. That is it.

Mr. SWANSON. The Supreme Court decided that Congress has the power of creating an agency to appoint minor officers, whom the President would not have the power of removing. Was not that included in the decision?

Mr. CARAWAY. Of course; the President would have nothing to do with this advisory council.

Mr. SWANSON. The board would appoint the advisory council, and they would be compelled to appoint whom the farmers selected?

Mr. CARAWAY. That is it. The language is that they shall name whoever the farmers select.

Mr. SWANSON. The Senator's contention is that they can do that under the Constitution, when the Congress creates this board with the power, and they will be compelled to obey the direction to do that. The Senator's contention is that the President would not be compelled to obey it, under the Constitution, as his is a constitutional office and power.

Mr. CARAWAY. That is it.

Mr. SWANSON. The President could remove them at his will; but could this board do so?

Mr. CARAWAY. The board would have no such power. The agency that suggested them would have the exclusive power. In other words, the farmer says, "This man is my agent, you name him and clothe him with this authority, he is my agent,

though he is not your servant." If the language we seek goes into the bill, he remains the agent of the farmer.

Mr. SWANSON. Appointed by him and removed by him?

Mr. CARAWAY. And responsive to him.

Mr. SWANSON. And responsive to him.

Mr. CARAWAY. That is it.

Mr. SWANSON. And it is not in violation of the Constitution under the recent decision of the Supreme Court of the United States?

Mr. CARAWAY. Absolutely not.

Mr. SWANSON. In which they say Congress can give other agencies the power to make appointments and the President can not remove them. Is that the Senator's contention?

Mr. CARAWAY. That is it.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. HARRIS. As I understand the Senator, then, if this advisory council should delay the equalization fee, the farmers themselves being the creators of the council, it would be the agent of the farmers, and would be responsive to their wishes.

Mr. CARAWAY. They would be responsive to the farmer. They are just his hired men.

Mr. PITTMAN. Mr. President, I understood the Senator to say that this advisory council would have the power to obstruct or change the policy fixed.

Mr. CARAWAY. Yes.

Mr. PITTMAN. Where do we find the provision as to that?

Mr. CARAWAY. That is in the amendment pending.

Mr. PITTMAN. It is not in the bill now?

Mr. CARAWAY. No. The only question now is how we shall select the advisory council, and of whom it shall be. The advisory council shall say when the board shall commence marketing operations, and when it shall terminate them, but I think we have to put this language into the bill to meet the objections of the President.

We are preparing to deal, wisely or unwisely, by the vote we are to take shortly, with the hopes and aspirations of at least 30,000,000 people. I do believe that since we have determined to do this, Senators ought to find out exactly what they are passing upon when they cast their votes. It is not the ordinary bill; it is a vital matter.

This other amendment must go in, I take it, if we want to escape the President's veto. Among the things he complained of in his veto was the attempt of Congress to limit the agencies that he should select; that is, the board. He said that was an encroachment upon his constitutional right to make appointments, and that he would not permit Congress to infringe that right. This amendment proposed by the Senator from Tennessee leads right back to that controversy. It undertakes to restrict the President in his right, although its supporters say that we merely suggest. But if he wants to veto the measure—and we have been assured by the Senator from Ohio that he does—that affords him a pretext; I will not say a reason, because it is not a reason, but one who seeks a pretext can find it.

We surrendered much in the mechanism of this bill to keep away from a conflict with the Chief Executive upon certain matters that were not entirely conclusive as to the merits of the bill. We yielded in order to meet some superficial objections he made. It was suggested that this amendment go in. Where we give the veto power, there must be some reason for the exercise of that veto power, there must be something to show it was not just a whim. Therefore it is suggested that this language go into the bill:

No marketing period under section 7 in respect of any agricultural commodity shall be commenced or terminated unless the advisory council for such commodity concurs in the respective finding or findings which the board is required to make prior to the commencement or termination of the marketing period.

It will be seen that the advisory council then becomes rather a court of review. It meets the President's objection that under the other bill the advisory council might veto the board's act out of mere caprice, out of whim, out of desire to be contrary. This says that their right is merely a right of review. They must find the facts as they are, not as the board says they are. If they find the facts different, they can veto the act of the board. It goes a little further than that, and I must say that is what every Senator will want to put in it, and this is the language we suggest to take its place:

No equalization fee shall be collected unless the estimates upon which the determination of the amount of the equalization fee is based are concurred in by the advisory council for that commodity.

Mr. BORAH. Mr. President, is that an amendment which the Senator from Arkansas is offering?

Mr. CARAWAY. We are offering this as an amendment to the amendment of the Senator from Tennessee; yes. I presume it is not worth while to discuss it, although the very vitals of the bill are tied up in these amendments.

Mr. BORAH. Mr. President, I think it is exceedingly important that we discuss it. In my opinion, these two amendments go to the very heart of the bill.

Mr. CARAWAY. They are the bill itself. If the amendment of the Senator from Tennessee prevails without change, we might as well tear the bill in two, because it will be made impossible of successful administration. We would be denying to the farmers, whose rights are being invaded by this bill, what little right remains to them of being the masters of the instrumentalities that are to deal with the marketing of their products. If Congress can not trust the farmers, if they have neither the intelligence nor the character that would warrant Congress in letting them be the controllers of the products of their own toil, then adopt the McKellar amendment and say to them—because that is what it does—"We have not only lost faith in your power to know when and how you should sell your products, but we do not believe you have intelligence enough to name your own agents. We are going to appoint a guardian for you and deny you the right to say when you shall sell or how you shall sell, or what instrumentality shall be your agent in selling."

That is tied up in this amendment. Let us be absolutely clear about it. There is no reason why the Members of the Senate, all men who have had experience, and all, saving myself, at least, people of high intelligence, should confuse language. However you may make it read in order to soothe somebody's prejudice, the thing is not to be adopted for a day; it is to become a policy, and the truth in the matter must come out.

Mr. BORAH. Mr. President, as I understand the Senator, he is offering an amendment to the McKellar amendment?

Mr. CARAWAY. Yes.

Mr. BORAH. Which one of the McKellar amendments?

Mr. CARAWAY. It is the amendment which commences on line 10.

Mr. BORAH. Section 4?

Mr. CARAWAY. I will give it to the Senator, because I do hope that Senators will read the provision.

Mr. BORAH. "No marketing period shall be begun or terminated," and so on?

Mr. CARAWAY. Yes. It commences on line 13, page 2 of the amendment, the first part of it, "the advisory council shall be composed of seven members, to be appointed by the President." We hope to strike out "to be appointed by the President" and provide that it shall be named by the board. Then, when we come down to the marketing provision; that is, on page 3—

Mr. HARRIS. Not only named by the board, but suggested by the farmers' organizations.

Mr. CARAWAY. Named by the board, and from lists which the farmers themselves submit; so that they will get the exact agents they want.

We want to strike out the provision as to their term of office, so that they shall simply sit there as the agents of the farmers, and whenever they cease to be their agents they shall cease to hold office, just as when you hire a man in the conduct of your business. You would not hire a man to be your bookkeeper for 10 years, without any power of removing him although he might destroy your business within that time and force you into bankruptcy. You would say, "I will employ you as long as you fulfill the duties of this office satisfactorily to me."

Mr. SHEPPARD. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. SHEPPARD. If the suggestion of the Senator from Arkansas should be adopted, and if the advisory council appointed by the board at the direction of the farmers should prove to be unsatisfactory, how would the farmers proceed in order to remove the board or any of its recalcitrant members?

Mr. CARAWAY. I am perfectly willing, if the Senator thinks the language is not clear, to provide that the agents may be removed upon the advice of the farm organizations. I take it, however, to be axiomatic, that if they name them, and they have no term of office, the minute the farmers are displeased with them, they being their agents, they can replace them by others. But if there is any doubt about it, I should like to have it cleared up.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

Mr. CARAWAY. Certainly.

Mr. FLETCHER. I think this is a very important matter.

Mr. CARAWAY. It is the heart of the bill.

Mr. FLETCHER. I would like to have the Senator turn to the page and line where he wants language stricken out of the amendment offered by the Senator from Tennessee.

Mr. CARAWAY. Let me read just how we would make the amendment read. Commencing on line 13, page 2, we would make it read this way:

The advisory council shall be composed of seven members to be appointed by the board.

That would be the language.

Mr. WALSH of Montana. Is it not necessary for the Senator to take in the preceding sentence also, "The President shall thereupon create an advisory council," and so on?

Mr. CARAWAY. I am proposing to strike all that out.

Mr. WALSH of Montana. The Senator referred to line 13.

Mr. CARAWAY. I thought the Senator from Florida wanted me to state how the amendment would read as we are proposing to amend it.

Mr. FLETCHER. I want to know what the Senator proposes to strike out.

Mr. SHEPPARD. Mr. President, may I ask if the amendment of the Senator from Arkansas is not to be proposed as an amendment to the amendment of the Senator from Tennessee?

Mr. CARAWAY. It is.

Mr. SHEPPARD. Has the Senator from Florida before him the McKellar amendment?

Mr. FLETCHER. Yes.

Mr. CARAWAY. He was asking me about that.

Mr. FLETCHER. I was asking what the Senator proposes to strike out of the McKellar amendment, and then insert.

Mr. CARAWAY. I would strike out commencing on line 10, page 2 of the McKellar amendment as printed, the following:

Then the board shall notify the President of such determination or application. The President shall thereupon create an advisory council for the commodity. The advisory council shall be composed of seven members, etc.

I would strike out all that language and simply say:

There shall be an advisory council composed of seven members appointed by the board from a list submitted by cooperative associations or other organizations representative of the producers of the commodity.

That would be the amendment I would want to have adopted.

Mr. President, there is just one more feature I want to discuss briefly.

Mr. FLETCHER. I might mention, if the Senator will allow me, that some objection might be raised to that suggestion because some of the cooperative associations have not been successful. They have broken down and, in a way, gone to pieces. Whether they would be recognized as proper agencies for representing agriculture is a question.

Mr. CARAWAY. But the language is "by cooperative associations or other organizations representative of the producers of the commodities."

Mr. FLETCHER. That might cover it.

Mr. CARAWAY. That is the language of the proposed amendment.

Mr. SMITH. Would the word "or" be better or would it be better to have the word "and" than the word "or"?

Mr. CARAWAY. If we say "cooperative and other organizations," it presupposes that there are other organizations than cooperative associations, and if there were not I do not see how we could name them as cooperative associations, because it says "cooperative and other associations." If we say "or" that would mean that it is the duty to recognize every association which represents any appreciable part of the producing commodity.

Mr. SMITH. I recognize the object of the bill entirely, and it is a proper one, to be to promote cooperation, and therefore any farm organization should be given preference.

Mr. CARAWAY. That is true. May I say again, and then I shall take my seat, that we conclude the amendment by striking out the language arbitrarily providing that the board shall not commence or continue a marketing operation without the consent of a majority of the advisory council. I presume there will be no serious contention that the language last proposed ought to supplant that provision, because nobody would want to have a capricious commencing or a capricious termination of this thing. There ought to be some reason for commencing a marketing operation and some reason for quitting the same.

Mr. SMITH. The Senator approves of that amendment?

Mr. CARAWAY. I think that ought to go in. I know that it meets a part of the objection the President made to the provisions of the other bill.

Mr. SIMMONS. Mr. President, I discussed somewhat at length on yesterday with the Senator from Arkansas [Mr. CARAWAY] several of these points. I had hoped that we would take up the amendments seriatim and that the discussion with respect to each amendment would be had at the time it was pending before the Senate, instead of having a general discussion such as we have had from the Senator from Arkansas this morning. I think that would have been the more orderly way. Of course, I do not mean to say that there is not weight in some of the suggestions and some of the amendments proposed by the Senator from Arkansas. For one, I shall be very glad, when the amendments are reached, to give due consideration to any suggestions that he may make with reference to a change in the amendments proposed by the Senator from Tennessee [Mr. McKellar].

It is suggested with reference to those amendments that they are framed with a view to taking out of the hands of the farmers of the country the control of their business, that they are based upon the idea that the farmers of the country are not sufficiently intelligent to attend to their business, and that they do not know what they need nor what they want. That is the suggestion made by the Senator from Arkansas with reference to the so-called McKellar amendments. Of course, such suggestions are very wide of the mark.

I wish the Senate would give me its attention when I say that the several amendments presented by the Senator from Tennessee are not amendments which he himself has drawn, but are amendments which have been worked out by quite a number of the Senators who represent the larger cotton-growing States of the Union.

I would like to add to that, Mr. President, the further statement that those amendments have been submitted to the representatives of the farmers' cooperative associations and farm organizations, who are here in Washington and who have been instrumental in securing action by the committee upon this great scheme, whose labors have been incessant, not only during this session but during the last session. They are here, charged with the performance of a duty intrusted to them by the farmers whom they claim to represent, and we have consulted them. As I am advised, every one of the representatives of those organizations has agreed to the amendments which were prepared by the Senators who thought they were representing the interests of the cotton farmers of the country.

Mr. PITTMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Nevada?

Mr. SIMMONS. I yield.

Mr. PITTMAN. I am very much interested in the segregation of the amendments—

Mr. SIMMONS. I am going to discuss that later. I am answering now a general charge that the committee which prepared the amendments have sacrificed the interests of the farmer, betrayed the interests of the farmer, and are trying to put upon them something that they do not want, and that the committee has proceeded upon the theory that the farmers have not sufficient intelligence to know what they want.

Mr. PITTMAN. What I am trying to get at is this: Here is an amendment which I hold in my hand—

Mr. SIMMONS. Will not the Senator allow me to discuss that when we get to it?

Mr. PITTMAN. Yes. But, of course, I want to know what the Senator is discussing.

Mr. SIMMONS. I shall be very glad to enlighten the Senator. Mr. PITTMAN. I understand the general principles which the Senator is about to discuss, but I do not know whether he is with the Senator from Arkansas [Mr. CARAWAY], or whether the Senator from Arkansas is with the Senator from North Carolina, unless I know what amendments he is discussing.

Mr. SIMMONS. I think the Senator is sufficiently versed in the methods of discussion to know that before I enter into the discussion of a thing in detail I would like to discuss some of the general propositions which are alleged against the whole scheme, especially as to the motives of those who have proposed the measure. That is all I was undertaking to do for the present. When I reach the particular amendment, I shall be pleased to discuss anything the Senator may suggest with reference to it.

Mr. PITTMAN. Both the Senator from North Carolina and the Senator from Arkansas have been talking about "amendments." There is apparently one amendment called the McKellar amendment. There is another amendment called the Caraway amendment. I do not know which one the Senator from North Carolina is discussing.

Mr. SIMMONS. I have just explained, in language as specific as I am capable of uttering with respect to any simple matter,

that the amendments presented by the Senator from Tennessee [Mr. McKellar] and spoken of as the McKellar amendments—not one, but a dozen or more—were not prepared altogether by the Senator from Tennessee, but that they were prepared by a voluntary committee of Senators representing the cotton States, who desire that the bill shall be so written as to promote the cotton industry as well as the agricultural industry generally, so that they can consistently support the bill. I regret that the Senator from Nevada [Mr. Pittman] has not succeeded in understanding me.

Mr. SMITH. Mr. President, may I suggest that the Senator from Nevada is confused because he looks upon the McKellar amendments as one amendment? They are all amendments to a particular part of the bill, and the particular part of the bill which each amendment proposes to amend is noted at the beginning of each paragraph. These are all separate amendments according to the paragraphs, and they show what part of the bill they are intended to amend.

Mr. SHEPPARD. And they were all offered by the Senator from Tennessee [Mr. McKellar].

Mr. SIMMONS. Exactly; but I have just stated that they were not drafted by him. They were drafted by a committee of Senators.

Mr. SHEPPARD. I said they were presented to the Senate by the Senator from Tennessee [Mr. McKellar], and they are known as the McKellar amendments.

Mr. SIMMONS. Yes. I think the Senator was not here when I so stated.

Mr. PITTMAN. I think that the Senator is now discussing the amendments which are printed in the form now before us known as the McKellar amendments, and that is all that he is discussing.

Mr. SIMMONS. Certainly; and in that connection I purpose to discuss some observations of the Senator from Arkansas [Mr. Caraway] with reference to the bill at large and also with reference to some of the amendments.

Mr. PITTMAN. Now, the Senator from Arkansas proposes to amend the McKellar amendment?

Mr. SIMMONS. Yes; the McKellar amendments.

Mr. PITTMAN. That is what I understood. He proposes an amendment to the McKellar amendment.

Mr. SIMMONS. Yes; as I have just stated.

Mr. PITTMAN. So when the Senator from North Carolina refers to "amendments" he is referring to the printed form of the McKellar amendments at the present time, and not the amendment of the Senator from Arkansas?

Mr. SIMMONS. Of course, I will try to distinguish the McKellar amendments from the Caraway amendments when I come to them. I am not at this time, however, disposed to enter into any detailed discussion of the amendments. As I stated, I think it would be very much better for us to discuss the amendments as they are offered. There are probably 15 or 20 amendments proposed by the Senator from Tennessee [Mr. McKellar] and probably 4 or 5 amendments proposed by the Senator from Arkansas [Mr. Caraway].

Mr. CARAWAY. They have been offered now, may I say to the Senator, and we were about ready to vote on them.

Mr. SIMMONS. We are not going to vote on them en bloc?

Mr. CARAWAY. No.

Mr. SIMMONS. That is what I meant. They should be voted on separately, and therefore I think, as they deal with separate propositions, it would be better to discuss them when we reach the individual amendments.

Mr. CARAWAY. The Senator will find, when he reads them, that they are so interwoven and engrafted one upon the other that they must all stand or fall together, because while they are offered as three separate amendments they deal exactly with the same subject and are so linked together that we can not discuss one without discussing them all.

Mr. SIMMONS. I was going to discuss such of the amendments as the Senator from Arkansas discussed, or a part of the amendments which I think probably need further discussion. But I was prefacing my discussion with the general statement that if it were true that the amendments presented by the Senator from Tennessee [Mr. McKellar] do not correctly interpret the best interests of the farmers of the country, then not only the Senator from Tennessee, but a great many other Senators, who represent the cotton States especially, do not understand their needs either. Certainly it would not be charged that they were deliberately betraying the interests which they represent or which they should represent upon this floor.

Further answering the suggestions of the Senator that the farmers are by these amendments left hopeless and without protection by the provisions of the McKellar amendments, the fact is that these amendments have been submitted to representatives of the farmers' organizations who are here to-day

and have been here since the inception of this legislation at this session, as most of them were here when it was under consideration at previous sessions, and who claim the right to represent and to speak for the farmers. They have agreed to the amendments of the Senator from Tennessee, without indicating that such amendments would in any way be a betrayal of the interests of the farmers whom they represent.

Mr. CARAWAY. Mr. President, will the Senator from North Carolina yield to me for a minute?

Mr. SIMMONS. Yes, I yield; but I did not interrupt the Senator. I do not, however, object to his interrupting me at all.

Mr. CARAWAY. Oh, no; I will not interrupt the Senator.

Mr. SIMMONS. I yield to the Senator from Arkansas.

Mr. CARAWAY. Of course, the Senator is translating into my speech the word "betrayal," whatever construction he puts on it, and I am not going to complain about that; but I rose for the purpose of saying that the farm organization leaders who are here discussed the matter with me; they thought they had to yield on that point in order to get certain votes. It did not meet their approval, but they thought it was a question of expediency. There were some of those leaders in my office this morning.

Mr. SIMMONS. I myself have not heard anything of that sort, and I know nothing about it.

Mr. McKellar. Mr. President, will the Senator from North Carolina yield to me?

Mr. CARAWAY. And they hope that it may be washed out in the conference. That is the history of the matter.

Mr. McKellar. Mr. President, I want to say to the Senator from Arkansas, who mentioned that matter to me on yesterday, that representatives of the organizations came to see me this morning, and I said, "Look here, what do you gentlemen mean? You told Senator Caraway that you were rather compelled to enter into the agreement to support these amendments." Well, they then asserted vigorously that the amendments met their approval. So there we are. They came to see me this morning, and they told me what I have stated.

Mr. CARAWAY. I will tell the Senator from Tennessee what we can do. We can go out and have a conference with them all together, and settle in that way the question in regard to what they want.

Mr. HEFLIN. I suggest a written statement be sent in here and read to the Senate.

Mr. CARAWAY. I do not think that is necessary.

Mr. SIMMONS. Mr. President, I have not heard any suggestion of that kind referred to by the Senator from Arkansas coming from these gentlemen. I have this to say about it, though. If they have told us that these amendments were satisfactory to them, when they were not satisfactory to them, when they thought they betrayed the interest of the farmer whom they represent, then they are not the kind of men that I have taken them to be. That is all I have to say about it.

Mr. SMITH. Mr. President, if the Senator from North Carolina will permit an observation at this point, I desire to say that if the men who represent, or claim to represent, the farm organizations are guilty of what seems to have transpired, we have not thrown sufficient safeguards around the proposed law. It is claimed that they want to represent the best interests of the farmer, but I submit that the best interests of the farmer can not be represented by that kind of action on the part of those who claim to represent him.

Mr. SIMMONS. Mr. President, one of the contentions of the Senator from Arkansas [Mr. Caraway] is that the farmers will have more protection under the bill as it is reported by the committee than they will have under the bill if amended as provided by the amendments submitted by the Senator from Tennessee [Mr. McKellar], especially with reference to the authority and power vested in the council appointed to represent any particular commodity that may come under the proposed law. There is not the slightest foundation for that contention. On the contrary, the farmers will have infinitely less protection under the bill as it came from the committee than they would have under the amendments of the Senator from Tennessee. The effect of the amendments submitted by the Senator from Arkansas would be simply to revert to the action of the committee. The Senator from Arkansas is a member of the committee which reported the bill, and he now proposes to amend the amendments of the Senator from Tennessee so as practically to restore the provisions of the bill as it came from the committee. Those provisions were unsatisfactory to certain southern Senators especially, and unsatisfactory because, and only because—and I ask Senators to bear that in mind—first, the council as provided in the Senate committee bill would have no power except advisory power. It would be appointed by the board which would be appointed by the Pres-

dent, and it would be responsible solely to that board for its action, its action being in the main simply advisory. This would inevitably make the council absolutely subservient to the board.

We did not think it would be fair to the farmer that his product, cotton, I will say, for illustration, the chief crop of 11 great States of the Union, should be brought into this bill under the supposed protection of a special advisory council to represent that interest when that advisory council would have nothing but purely recommendatory and advisory powers and when it would be absolutely subservient to the will of the board.

How is the board which the Senator from Arkansas says should appoint the advisory council and under which the advisory council would have no independent powers of its own to be appointed? Here is the provision in regard to the appointment of that board; I wish to read it to the Senate:

SEC. 2. (a) A Federal farm board is hereby created which shall consist of the Secretary of Agriculture, who shall be a member ex officio, and 12 members, 1 from each of the 12 Federal land-bank districts, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate.

That is the way that board is to be created.

Mr. SMITH. Are there no qualifications?

Mr. SIMMONS. None that I can see. The bill reads:

(b) The terms of office of the appointed members of the board first taking office after the approval of this act shall expire as designated by the President at the time of nomination—

And so on.

A successor to an appointed member of the board shall be appointed in the same manner as the original appointed members, and shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any person appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Any member of the board in office at the expiration of the term for which he was appointed may continue in office until his successor takes office.

I am trying to find the provision as to qualifications, and ask the Senator to find it if he can.

Mr. McKELLAR. To what does the Senator refer?

Mr. SMITH. To the qualifications of the members of the board.

Mr. SIMMONS. Here it is; I have found it.

(f) Each of the appointed members of the board shall be a citizen of the United States, shall not actively engage in any other business, vocation, or employment than that of serving as a member of the board—

It is said that we can not restrict the rights of the President, but here is a restriction in the bill itself—

and shall receive a salary of \$10,000 a year, together with necessary traveling expenses and expenses incurred for subsistence or per diem allowance in lieu thereof, within the limitations prescribed by law while away from the principal office of the board—

I need not read further.

Then it proceeds to set forth the general powers of the board. I see no substantial and special qualifications there prescribed and required for members of the board.

Mr. SMITH. The only qualifications seem to be that a member of the board shall be a citizen of the United States, that each member of the board shall be representative of one of the land-bank districts, and that each member shall disassociate himself from any other business that he may have been engaged in and restrict his activities entirely to the functions of the board. Then the vacancies occurring in the board shall be filled according to the terms of the original appointments.

Mr. SIMMONS. Let me ask the Senator from Oregon, in order to get this matter straight, if, under the bill as reported by him, there is any limitation upon the President's power of appointment except as to citizenship and except as to the member so appointed giving his full time to the duties of the office and not being engaged in any other business?

Mr. McNARY. Mr. President, the President is given the untrammelled right to make the appointments subject to the limitations expressed by the Senator from North Carolina.

Mr. SIMMONS. Exactly. The board is thus constituted with no limitations. The farmer has nothing to do with its appointment at all. There are 12 members of the board, and the Secretary of Agriculture makes 13. The advisory council for which the bill provides, and in respect of which the Senator from Arkansas wants to so amend the amendment of the Senator

from Tennessee that the provision shall practically remain as it was written, is to be appointed by this board.

It is true that a limitation is placed upon the appointment of the members of the advisory council.

Mr. BORAH. The only limitation is that they shall be appointed from a list submitted by cooperative associations and other organizations representative of the producers of the commodity.

Mr. SIMMONS. Yes; they are authorized and directed to create a body appointed in that way, the members of which shall serve without salary, and so forth. That is their limitation. They are required, authorized, and directed to do that; but if they shall fail to do that, if they shall disregard that direction, what remedy has the farmer? What can he do in case the board appoints some one contrary to that requirement?

Mr. BORAH. He can do the same thing that he can under the bill generally, and that is nothing.

Mr. SIMMONS. That is nothing. That is what I say. But even if the farmer had some way of getting rid of the board in case they did not appoint the man the farmers recommended, even if that were true, this advisory council as the bill is written has no independence of thought and of action. It has only the power to advise and it is the creature of the board. Now, we wanted to remedy those two defects especially.

Mr. HEFLIN. Mr. President, as I understand the amendment of the Senator from Tennessee, this advisory council is to be composed of farmers, and if the matter under consideration is cotton some of them have to come from the Cotton Belt, and if it is grain they have to come from the Grain Belt; and a list is furnished the President from which they would be glad to have him select the advisory council.

Mr. SIMMONS. Yes; that is true under the McKellar amendments. If the President is given the power to appoint, he will not be compelled, of course—we can not compel him—to appoint; but we can direct in the law that he shall appoint from a certain section; that he shall appoint persons engaged in a certain line of business pertinent to the measure under consideration. We did that in the Federal reserve act; we did that in the flood relief act; we have done that in 25 or 30 acts of the past several years.

Mr. HEFLIN. But if he did not appoint the people that we thought ought to be appointed, we could reject the appointments here.

Mr. SIMMONS. That is exactly what I was going to get to.

Mr. McKELLAR. Mr. President, before the Senator leaves the proposition he has just mentioned, it was said that if the board appointed these members the farmers themselves would virtually appoint them.

Mr. SIMMONS. I am going to get to that, if the Senator will allow me.

Mr. McKELLAR. I just want to call the Senator's attention to this fact: For instance, take Tennessee, as an illustration. We have several farm organizations down there, independent ones, and the board would select whichever one they wanted to select, and the farmer would really not select the members.

Mr. SIMMONS. I was going to get to that. Let me get to the matter of President's appointments.

The President is circumscribed here only by a direction of Congress such as we have put in other bills—that is, that he shall appoint from certain industries, shall appoint somebody and only somebody who is engaged in the production of commodity concerned, and that he shall consider in connection with those appointments the list that is presented to him by farmers' organizations, cooperative or otherwise—that is, that he shall get the best recommendations that he can through the cooperation of the farmers in making that selection. If the President does not see fit to obey the law in that respect, we have no way to coerce him about it, but we can reject his nominations; but, on the other hand, if the board does exactly the same thing, we are without power to coerce the board or stop its action. There is, however, this broad difference in the two propositions:

If the board appoints persons that are not interested in the industry, persons that are not satisfactory to the farmers, then the farmer has no remedy. He must submit to the board; and the board, being so interested in controlling the matter, are likely to select members for the council that they can best control in the exercise even of the council's limited advisory power.

Mr. President, all of this talk about the recommendations of the farmers applies especially to the appointments made by the board. The board is not required in the committee bill to do any more than select from the industry, and select a representative; but, once a selection is made, whether it conforms to the law or not, there is no way to remove him from power.

There is no check upon their action. The power is unlimited, uncircumscribed. If, however, we have the members of the council appointed by the President, and if the President shall disregard the limitations that we have imposed, if he shall refuse to appoint a person who is a producer or from a list recommended to him by a farm organization or a number of farm organizations, under the McKellar amendment the Senate has the right of confirmation or rejection, and in the exercise of that veto power we can restrain the action of the President. I do not think it would often be necessary, but it might occasionally be necessary, and when necessary it would be extremely important. Therefore, as a wise precaution, we have insisted upon placing this power in the hands of the Senate by prescribing that the members of the council shall be appointed by the President by and with the advice and consent of the Senate.

Mr. President, Senators talk about the board or the President, either, acting upon the recommendations of these cooperative associations and farmers' organizations. With respect to a great industry that does not mean anything, practically, or mighty little. In each State, probably, there is a cooperative association. There may be, as in the case of cotton, 10 or 11 States that are interested in the production of cotton to a large extent. They may each have several separate organizations, farmers' organizations, cooperative organizations; they may have representatives here at the Capitol claiming to speak for them; but I think the Members of the Senate know without any discussion of that question on my part that very frequently the alleged representatives of these organizations at the Capitol do not speak what represents the sentiment of the farmer or his interests.

Where there probably might be a dozen lists from which selections might be made, it would be difficult for the President and it would be difficult for the board to determine whose recommendation he should follow. There is, however, one provision in the amendment sponsored by the committee of which the Senator from Tennessee is the spokesman, and which is embraced in his amendment, that is a safeguard that can not be disregarded, and it is a safeguard that is easy of application; and that is that the appointee on this advisory council, whoever he may be, whoever may recommend him or whoever may oppose him, shall be a producer of that product. "A producer" means a bona fide farmer. That was put in there because we did not see how it would be possible to evade that. Surely the President of the United States can not say that Congress has not the right to say that in appointing an advisory board to represent the interests of cotton, for instance, its members shall be selected from the producers of cotton. Surely that is not a limitation upon his authority of which he can complain. If it is, then I assert that a similar limitation is written in at least a hundred statutes, and no question has ever been made about it; but it is a limitation so broad and sweeping and comprehensive that the President can not disregard it without invoking the immediate wrath of the Senate in the form of a rejection of his nominee.

The Senator from Arkansas [Mr. CARAWAY] insists that this whole business shall be put in the hands of the cooperatives and the farmers, and he insists that the bill as it came from the House practically does that. The bill as it came from the House does no such thing. The bill as it came from the House simply permits them to recommend to a board whose powers are unlimited in dealing with the provisions of this bill.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. SIMMONS. I will ask the Senator to pardon me a moment. Furthermore, Mr. President, there are some sections of the country that do not think these organizations always represent the sentiments or the interests of the farmer, and where, in fact, the farmers are not truly and adequately represented by any farmers' organization.

I know of one particular State—I shall not designate it—where there is but one farm organization, and I am sure there are not 5 per cent of the farmers of that State members of that organization. I know that they had a tri-State tobacco cooperative association there, and it functioned for five years and then went into bankruptcy, and the farmers of those three States have lost tens of millions of dollars. It has gone out of existence. There is a cotton organization there, but not 10 per cent of the cotton farmers of the State belong to it.

The Senator says we will coerce the farmers to join these cooperative associations, and when we have coerced them all to join, then we will give them the right to recommend to this board whom they shall appoint as their advisory council to

represent them, when the Senator knows that if that board disregards that recommendation, even if that consummation of organizations should be accomplished and all the farmers in the cotton States should become members of this cooperative association, even then they could disregard it, and the farmer would have no remedy. On the other hand, under the bill we have adopted, if the President disregards the recommendations of these organizations which exist or may come into existence, and makes an independent appointment contrary to the provisions and spirit of this law, and not truly representative, we have that provision in the law that "We directed you to appoint regardless of this list. We directed you in broad, general, sweeping, comprehensive terms to appoint nobody except some one who was a producer, and you have appointed a person who is not a producer"; and we have the power in the Senate to say no to his nomination. That is a real safeguard that can be invoked and that will be effective.

It will hardly be contended, I think, that the Senate as a whole does not fairly represent the agricultural interests of this country, does not sympathize with the agricultural interests, does not understand fairly the needs of the agricultural interests of the United States, and does not genuinely desire to conform its action to their best interests. That will hardly be contended. It will certainly not be contended that the Senators who represent the cotton States are not in sympathy with the cotton grower, because in many of those States we have the one-crop system. Practically the only money crop we produce in certain southern States is cotton.

We neglect to produce those things which are necessary to sustain the life of man or the life of the animals he employs, and we buy those things from other sections of the country, because we once thought it was more profitable to raise cotton and to buy those other things. We are distinctively a one-crop section in many of the States of the South. My State has broken loose somewhat from that, as has the State of the Senator from South Carolina. Both of those States are not only agricultural but they have become great manufacturing States; but cotton and tobacco are the chief agricultural products of both. The balance of the Southern States are principally cotton-growing States.

Can it be thought that the President will disregard our wishes and the spirit of the law in this matter in the appointment of a person to represent the cotton industry of the South on this advisory council, which has in its hands the life or death of this industry, this advisory council which will, if the machinery of this bill be put into operation, have enormous power? We would like to safeguard all that, and we can do so under the bill with the McKellar amendments. The council will have a large voice in the control of the cotton situation, and under the bill as reported by the committee it would be only the voice of advice, the voice of recommendation. The members would be merely the puppets of a board, and a board that is absolutely free and independent of everybody from the time it is appointed until its term expires, unless the President, who appoints it and selects it, should see fit to remove one or more of the members of the board.

Mr. SMITH. Mr. President, as the Senator is developing—

Mr. BRUCE. Mr. President—

Mr. SMITH. I just want to ask a question.

Mr. President, as the Senator is developing the idea of how far we may go in directing the President, or attempting to limit him in the power of appointment granted him under the Constitution, we have certain bipartisan boards appointed under provisions we have written into the law providing for boards to be composed of equal representation, or practically equal representation, from the two different parties. As far as I know, in my experience in the Senate, I have not known the President to depart from the observance of such a provision of law.

Mr. SIMMONS. Mr. President, one other thing, and I am through. Everybody knows that the one stumbling block in connection with this whole bill is what is known as the equalization fee. That is a provision by which the farmer undertakes, contrary to what is required of the other industries of this country, to take care out of his own pocket of any loss that shall be sustained in an effort to raise and support the price of his product.

Mr. BRUCE. Mr. President, will the Senator yield?

Mr. SIMMONS. Will the Senator pardon me until I get through with this phase of the matter?

The power of imposing this equalization fee is an exceedingly great power. The act itself does not impose it. The act itself expressly provides that it shall be imposed under certain circumstances and conditions.

Mr. SMITH. By the board.

Mr. SIMMONS. By the board. It does not direct that it may be imposed by the advisory council, selected to represent that particular interest to be brought in and subjected to this equalization-fee burden. It vests that power in the board, and that board, appointed by the President, with no limitations upon its power, with nothing to restrain its hand, has the sole and exclusive power of bringing any industry in this country under the operation of this measure and imposing upon it not only an equalization fee, but the board practically has the power and the right to fix the amount of the equalization fee.

Mr. President, Senators representing the cotton States are probably more interested in this bill than those representing the wheat States, because this is a bill to take care of surpluses, and the cotton industry in a year exports more in value than the value of all the other agricultural exports from this country combined. It is proposed to go in under this bill and by an equalization fee provide for the losses in withdrawing from the market, if the conditions require it, six or eight million bales of cotton a year; and, naturally, we who represent the South want to know who is going to impose that equalization fee and fix the amount of that equalization fee.

The Senator from Arkansas would have the board do it all. We say "no." We have gone into this thing because you have given us an advisory council to represent our product as distinguished from every other product in the United States, and we want that advisory council to have the authority and the power to veto any equalization fee that may be proposed, the amount of it, and whether it shall be applied at all or not.

Mr. HARRIS. Mr. President, I understand that this advisory council would have to approve the recommendations of the board, or they can veto them before they can put into effect the equalization fee.

Mr. SIMMONS. Yes.

Mr. HARRIS. Under the amendment of the Senator from Arkansas would not this board be able to do the same thing?

Mr. SIMMONS. Not as I understand it. When we get to that, if the Senator from Arkansas has an amendment that would confer upon the board the same power our amendment would confer, though he may use different language to do it, we will make no objection. I do not care anything about the phraseology, but I want the advisory council, selected to represent this great interest, and not the board, to have the right of controlling the imposition of the equalization fee.

Mr. BORAH. Mr. President, the amendment which the Senator from Arkansas has shown me, which is to be on page 7, after line 11, and which is relevant to this discussion, reads as follows:

No marketing period under section 7 in respect of any agricultural commodity shall be commenced or terminated unless the advisory council for such commodity concurs in the respective finding or findings which the board is required to make prior to the commencement or termination of the marketing period. No equalization fee shall be collected unless the estimates upon which the determination of the amount of the equalization fee is based are concurred in by the advisory council for the commodity.

Mr. SIMMONS. Mr. President, so far as that amendment is concerned, it differs to some extent from the amendment proposed by the Senator from Tennessee, but I do not think it very substantially differs from it. In one respect the amendment offered by the Senator from Arkansas is different from the bill. What I favor is an amendment that will accomplish this very purpose, either by the language used by the Senator from Arkansas, or the language used in the amendment of the Senator from Tennessee.

Mr. BORAH. I think this amendment offered by the Senator from Arkansas is an exceedingly important amendment.

Mr. SIMMONS. Does the Senator think it would strengthen the powers of the council?

Mr. BORAH. Yes.

Mr. SIMMONS. If it would strengthen the powers of the council, then I will accept it, so far as I am concerned. I want to strengthen their powers.

Mr. BORAH. I quite agree with the Senator. I think the amendment offered by the Senator from Arkansas is one of the most important amendments offered to the bill.

Mr. SIMMONS. I am not fighting the amendment offered by the Senator from Arkansas. I was controverting some of the arguments of the Senator from Arkansas especially with reference to the appointment of the council. Incidentally, I did not know that his amendment was quite as sweeping as it would seem to be. I had thought it covered not quite as broadly as the McKellar amendment does the question of the equalization fee, when it shall be imposed, what the amount shall be, and when it shall be withdrawn or discontinued. When we get to that amendment I shall be very glad to discuss it further.

I was speaking of the general principles. I want a safeguard of that kind. It is needed in the bill. It is in the amendment of the Senator from Tennessee. If the Senator from Arkansas has an amendment which accomplishes the same purpose and goes a little further, I would be perfectly willing to accept it, but I would want to examine it for myself before committing myself to it.

Mr. McKELLAR. Mr. President, if I may have the attention of the Senator from Idaho, on page 3 of the amendments offered by me, lines 6 to 14, inclusive, are intended to be substantially the same as the Caraway amendment. So far as I am concerned, if the language would suit the Senator from Arkansas and the Senator from Idaho better, I see no reason to think that it is not equally as good as the language in my amendment. I think it means exactly the same thing.

Mr. SIMMONS. The Senator from Idaho thinks it is stronger.

Mr. McKELLAR. If it is stronger, let us have it.

Mr. BORAH. I have no doubt that the objective of the Senator from Tennessee is the same as that of the Senator from Arkansas.

Mr. McKELLAR. Precisely.

Mr. BORAH. But I think there is a concluding sentence in the Caraway amendment which is exceptionally important and I do not find it in the amendment of the Senator from Tennessee, although I find in all probability the intent to arrive there. That sentence reads:

No equalization fee shall be collected unless the estimates, upon which the determination of the amount of the equalization fee is based, are concurred in by the advisory council for the commodity.

Mr. SIMMONS. The Senator from Idaho will understand that when I was discussing the equalization fee and its application under the machinery of the bill, I was proceeding upon the fact that under the committee bill the authority of the advisory council thereby conferred was negative and ineffective, and that the amendments proposed by the Senator from Tennessee were intended to correct that situation and change their authority from that of negative action to that of affirmative action in disapproval or approval. I regard that as fundamental.

Mr. BORAH. I regard it as fundamental, too. I quite agree with the Senator. The Senator is desirous of making the advisory council somewhat an independent tribunal.

Mr. SIMMONS. Exactly.

Mr. BORAH. Then he refers to the powers of the advisory council after it has been created. The Senator from Tennessee offers certain amendments giving certain powers with reference to the board, but in my opinion there is one sentence in the Caraway amendment which we ought to have.

Mr. McKELLAR. I will say that I agree with the Senator from Idaho. I think it is better in the way the Senator mentions, and so far as I can now do so, I ask unanimous consent to strike out, on page 3 of my amendment, lines 6 to 14, inclusive, and insert in lieu thereof the language proposed by the Senator from Arkansas in that regard.

The PRESIDING OFFICER. The Senator may modify his amendment without unanimous consent.

Mr. SIMMONS. I want to say that so far as I am concerned I am contending for certain fundamental things in connection with this matter. The first is that the advisory council shall be an independent board. The second is that one of the functions of the advisory council shall be the power to negative any action of the board with reference to the bringing in of agricultural product and the imposition of an equalization fee upon that product, and the amount of the equalization fee. Those principles I consider absolutely fundamental. If those fundamental principles are preserved, I do not care whose amendment is adopted. But I am opposed to any amendment that would emasculate or weaken the powers of the advisory council as they are fixed by the amendment of the Senator from Tennessee. The bill as reported by the committee would leave the council a purely negative body with nothing but advisory powers, subject to the control and removal by the board at all times, and, therefore, the caprice of a board appointed by the President without any limitation upon the power of appointment except citizenship and place of residence.

Mr. BRUCE. Mr. President, I endeavored to interrupt the Senator from North Carolina, but he saw fit not to permit me to do so.

Mr. SIMMONS. No; the Senator need not think that I refrained from answering his question. I never have done that during my service in the Senate and I hope I never will.

Mr. BRUCE. If the Senator had permitted me to interrupt him, I would have said all I intended to say, I think, within the time allowed for the interruption. I wish to say just a word

with reference to the importance which the Senator from North Carolina attaches to the equalization fee provided for in the pending bill. In my opinion there is no distinction in some respects to be taken between the provisions of the bill relating to loans and advances made out of the revolving fund provided for by it, and the fund created by the equalization fee. That fee is really not a burden upon the farmer. It is a burden upon the consumer.

Mr. BORAH. Not necessarily.

Mr. BRUCE. I do not agree with the Senator. I think it is necessarily a burden upon the consumer.

Mr. SIMMONS. Mr. President, I think the Senator—

Mr. BRUCE. Just a moment, if the Senator please.

Mr. SIMMONS. I thought the Senator asked me a question.

Mr. BRUCE. No.

Mr. SIMMONS. I beg the Senator's pardon.

Mr. BRUCE. I say that while the equalization fee is supposed to be collected from the farmer, for all practical purposes it is not collected from him at all. It is collected from the consumer. The only difference between the result when such a fee is collected and the result when a loan or an advance is made out of the revolving fund is that in the latter case the loan or advance comes out of the General Treasury of the Federal Government and not out of the pocket of the consumer. That is the whole difference.

The equalization fee, with due respect to the authors of the pending bill, is nothing but a blown-up bladder. The bill is an artificial thing from beginning to end. For the first time, almost, in the history of the human race, the general prosperity is to be promoted not by creating abundance, not by producing wealth, but by creating a dearth.

The power is given to the board to inflate prices with its bellows whenever it deems it discreet to do so under the provisions of the bill, and when it enters upon this process of inflation there is no reason why it should not push it not only to the point of providing what may be deemed by it to be a proper price to the farmer for his commodity but to a point sufficient to cover the equalization fee besides. It is not true that the farmer pays the equalization fee under the provisions of the bill. He is allowed what is supposed to be a proper price for his commodity, and if this amount is enhanced to a sufficient additional extent to cover the equalization fee, what difference does that make to him? But it makes a world of difference to the consumer, because it is he who has to pay the price deemed the proper price for the commodity sold by the farmer plus the amount of the equalization fee.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Idaho?

Mr. BRUCE. I yield.

Mr. BORAH. It has been estimated that the consumers last year paid about \$29,000,000,000 for what the farmers of the country produced, and out of that the farmers got about \$9,000,000,000. The rest of it went to somebody who was operating between the farmer and the man who got the food. It might be possible that this measure would have some effect upon that gentleman, and if it did it would be a good thing.

Mr. BRUCE. That is a different question altogether—the question as to how far the spread between the farmer and the consumer under existing conditions is too great.

Mr. BORAH. It is not a different question, for the reason that the basic principle of the bill is intelligent marketing to enable the farmers to intelligently market their produce so they will get what the produce is worth and not be robbed on the way from the farm to the consumer.

Mr. BRUCE. It seems to me that the basic idea of the bill is unnaturally to inflate prices by buying up the exportable surplus of an agricultural commodity and creating a domestic scarcity in it; that is to say, artificially to tummy the domestic price for an agricultural product to such an extent as not only to give the farmer an adequate price, but, where the equalization fee will come into play, to provide for that fee also. That consideration, so far as I know, has never received attention in the course of the discussion of the pending bill, but I believe it to be an absolutely sound one. Of course, if the equalization fee is really a burden on the farmer, then it is an absolutely unconstitutional and unlawful one, because it is entirely beyond the power of the Federal Government to say to me, if I am a farmer, when I come to sell some product of my farm, that I must submit to a deduction from the price whether I am willing to do so or not.

Such an imposition is either a tax or it is an attempt to take my property from me without due process of law contrary to the guaranties of the Federal Constitution. That such an imposition for the lack of the general attributes of true taxation

can in no proper sense be considered a tax has been demonstrated by the Senator from Montana [Mr. WALSH] in the course of an argument which he delivered in this body last year that was absolutely, in my humble judgment, unanswerable.

At the same time it was demonstrated by other Senators fully as convincingly that if the farmer, willy nilly, is to be deprived of a part of the price that he receives for a commodity that act would unquestionably constitute a violation of the provisions of the Federal Constitution which forbid the taking of private property without due process of law and just compensation. But, as I have intimated, so far as any contention that the equalization fee contemplated by the pending bill would constitute a burden on the farmers is concerned, it is unnecessary to ask whether it is a tax; it is unnecessary to ask whether it operates as the taking of private property without due process of law, because the equalization fund is nothing but a purely factitious thing. Provided that the farmer obtained a proper price for his commodity it would make no material difference to him; I can not repeat too often whether there were an equalization fee created under the provisions of the pending bill or not.

It would be something that he would not only never get himself, but would never expect to get. It would be paid by the consumer, and by the consumer alone.

Mr. BORAH. The Senator from Maryland surely will concede, will he not, that the present marketing system of the farmer is not a success; that the farmer can not, under present conditions, without some central organization or some central power get that cooperation which is necessary to put his products on the market intelligently?

Mr. BRUCE. That situation would be met if the farmer went ahead and, with constitutional and reasonable aid from the Government, perfected his cooperative associations of every sort. I doubt whether the present system for the distribution of the farmer's produce is quite so bad as it has been represented to be; you can not have distribution any more than you can have production without cost; but I am willing to go to any point to which Congress may constitutionally go for the purpose of facilitating and cheapening the distribution of the farmers' commodities.

Mr. BORAH. Does not the Senator think that we have the constitutional power to set up machinery to enable the farmer successfully to market his products?

Mr. BRUCE. As the Senator from Idaho well knows, in the beginning of our Government it was doubted by no less a personage than Alexander Hamilton himself whether Congress had any constitutional power to appropriate money for the promotion of agriculture. We have long passed that period without boggling over any such constitutional scruples, and the country has reached the settled conclusion that agriculture is, as has been said, one of the "twin breasts" of the state, if not the public interest of supreme importance; and in consequence of this conclusion Congress has gone on year after year building up the superb structure of agricultural supervision and aid with which we are all now so familiar.

Suffice it to say that I am given no opportunity to say what my attitude toward the pending bill would be if the equalization fee were stricken from it, as well as all the other devices by which it seeks to produce plenty by first producing scarcity. Under proper conditions I should favor the extension of Federal pecuniary aid to farmers' cooperative marketing associations.

Mr. BORAH. Speaking purely as a question of constitutional authority, would there be any difference, so far as the Constitution is concerned, between setting up the machinery which is contemplated in the pending measure, leaving out the equalization fee, which would result in the successful marketing of the farmer's products, and the authority which we exercised in creating the Department of Agriculture and appropriating for it year after year in the effort to destroy the boll weevil and do other things which affect agriculture? Is there any difference, so far as the Constitution is concerned, in the exercise of those two authorities?

Mr. BRUCE. Mr. President, I am not in the slightest degree questioning the constitutionality of the general measures that the Government has pursued for the purpose of promoting the welfare of agriculture; I have no disposition to do that, and I do not know that I would have the competency to do it successfully even if I were to attempt to do it; but the point I make is that, so far as the equalization fee is concerned—and that is the limit of my constitutional argument—it is an absolutely nugatory, unlawful, and unconstitutional thing; and, in my judgment, will be so declared whenever the question shall be submitted to the Supreme Court of the United States.

I am not impeaching the constitutionality of the provisions in the bill for loans and advances by the Federal Government for

the purpose of strengthening the farmers' cooperatives; under proper restrictions and safeguards I am in sympathy with that idea; and even if I were disposed to doubt its constitutionality I should be very loath, indeed, to give any but a regretful expression to my doubt.

Mr. President, I had no thought of entering upon any general discussion of the pending bill when I sought to obtain the permission of the Senator from North Carolina to interrupt him for a moment. However, before I take my seat I wish to say that I think that there is no need at this time for such a measure except so far as it might be made to furnish reasonable pecuniary aid by the Government to the voluntary cooperative associations of the farmers themselves. If we were dealing with anyone but the farmer; that is to say, anyone but the individual who makes a particularly strong appeal to the sympathy and respect of us all, we would deal with this bill, I venture to say, in a very different spirit from that in which we are dealing with it now. There is nothing peculiar—

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Idaho?

Mr. BRUCE. I do.

Mr. BORAH. If we were not dealing with the farmer, in my judgment we would make an appropriation direct from the Treasury of the United States and set up machinery which would enable him to market his products. We have done that with reference to other industries, and, in my opinion, that is the rule that we ought to follow in this instance.

Mr. BRUCE. The Senator from Idaho insists on harking back to the question of agricultural distribution machinery. I have not taken issue with the Senator on that point; I have not objected to the pending bill on that ground; but I do think that we would never have thought of giving our approval to such an artificial bill as it is if we were not dealing with the farmer, who is, for all kinds of reasons, as we know, apart from his numerical strength as a voter, peculiarly entitled, as has always been recognized from the beginning of our Government, to our cordial respect and support. Jefferson once declared that the farmer is the most virtuous and useful member of the whole community; and so he is.

Speaking from my own intimate familiarity with rural life, I do not hesitate to say I think that he lives more in harmony with higher standards of industry, personal integrity, and clean living than does any other member of the American body politic whomsoever.

I was born and spent my boyhood on a farm. That, of course, was many years ago. Among the farmers, in the vicinity of the farm, I can not recall a divorce nor, except where drink occasionally came in with the misfortunes that follow in its train, even an unhappy marriage; certainly not one solitary scandal that deeply stains the purity of domestic life.

But, as I have said, we are not approaching the problems which the pending bill seeks to solve as we would do an ordinary industrial predicament. There is nothing extraordinary however distressing, about the present plight of the farmer when traced back to its economic causes. During the World War all constructive peace work, so far as manufacturing industries were concerned, was laid aside, and all the industrial energies of the Nation were devoted to turning out supplies for the successful prosecution of the war. The consequence was that when the end of the war came there was a tremendous industrial slack to be caught up.

All sorts of industrial projects, all kinds of industrial needs that had been shelved during the war, had then to be taken up and accomplished or gratified; and it is that fact which furnishes the explanation of the period of amazing industrial prosperity which marked the history of this country after the close of the World War until a few months ago.

Now, however, that state of things is coming to an end. It is computed that in the city of Baltimore alone there are some 15,000 people unemployed at the present time; the number of the unemployed throughout the United States is now computed to mount up into the millions.

During the World War the farmer, too, passed through a period of wholly abnormal stimulation and activity. The war created an enormous demand for agricultural commodities of every sort, and the consequence was that men who were already farmers made it a point to put in larger crops than they had ever put in before, and men who never had been farmers and who scarcely knew the difference between a horse and an ox turned to farming as a pursuit. Besides, of course, as farmland values steadily rose many farmers went into the business of buying more land, either for the purposes of larger production or as a mere matter of land speculation; and the banks, espe-

cially throughout the Northwest, followed suit by making many imprudent loans on exaggerated agricultural values.

Of course, the result was that after the World War, while there was a tremendous industrial slack to catch up, there was no agricultural slack to catch up; and inevitably there followed a period of agricultural depression, disaster, and bankruptcy, bringing ruin more or less in some parts of the country to the farmer, the banking interests, and all interests immediately affiliated with agriculture.

Mr. BORAH. They deflated the farmer a little hurriedly, too, did they not?

Mr. BRUCE. I have heard that alleged by the Senator from Alabama [Mr. HEFLIN]. I do not know; I have never heard any other Member of the Senate, so far as I can recall, lay very much stress upon that idea.

Mr. BORAH. Does the Senator lay no stress on it?

Mr. BRUCE. I do not know how far it is true in point of fact that the farmer was subjected after the World War to a ruthless period of deflation by the banking system of the country or by any banking agencies of any sort.

Mr. BORAH. I think the facts are available.

Mr. BRUCE. Well, I do not know. It is useless, it seems to me, to go into that as the real cause of the misfortunes that overtook the farmer after the World War, when the results of natural economic deflation were so inevitable under the circumstances.

All that the present agricultural situation calls for is the healing influence of time, except, as I have said before, so far as the Government, by legitimate and constitutional pecuniary aid, can assist the farmer to perfect his cooperative agencies of distribution.

For some years now, if our Secretaries of Agriculture can be believed, if the wisest economists of the country can be believed, a slow but steady process of improvement has been taking place in the condition of the farmer. Agricultural labor has been going down. Agricultural commodities everywhere have been going up—not rapidly, it is true, but measurably, substantially—and I think I can say without a moment's hesitation that if there was no justification for such a measure as this McNary-Haugen bill at the last session of Congress, there is still less justification for it now, because the condition of agriculture at the present time is in every respect better than it was at the last session of Congress.

A great deal of stress has been laid upon the fact that some 3,000,000 farmers have quit farming. If that exodus had taken place in connection with the nonagricultural industries of the country, it would, perhaps, not have received the attention that it has. Everybody would have said that those industries were simply responding to the ordinary, normal play of natural economic forces. But as soon as farmers were seen quitting the farm and going off to industrial establishments and getting employment at highly satisfactory wages such a phenomenon was accepted as one of the most ominous, the most unprecedented, the most tragic character.

It was distressing enough, but that, of course, is the way in which economic adversity in any particular branch of industry always relieves itself; that is to say, shifting a large body of the workers in it to other pursuits. It is partly because of that exodus of farmers that agricultural prices are again found today in the ascending scale, and a steady improvement in every respect in the general agricultural conditions is setting in.

The present bill but repeats the old story of disregarding the admonitions of the wisest of all physicians, nature, and resorting to the quack and his nostrum. It is enough for me to say that I feel that I would be untrue to my representative function, would be disloyal to my obligations to my constituency, including the farmer himself, if I did not, as the President of the United States has done and so many other Members of this body and of the other House have done, set my face like flint against this bill—this bill which has a lisp of alluring deceit upon its lips, but nothing but dead sea ashes in its breast.

Always the worst enemy of the farmer ever since my boyhood has been not the San Jose scale or the boll weevil or the corn borer but the demagogue and the charlatan.

Over and over again false friends of the farmer have come forward to suggest some visionary or delusive remedy for his ills, and from the agitations kindled by them many demoralizing and destructive sequels have followed. I hardly exaggerate when I say that since the American Civil War the pathway of our political history has been strewn with the bleaching and dissolving bones of economic fallacies like those that lurk in the pending bill.

How well do I recollect Pepper, with his long, straggling beard, and "Sockless" Simpson, and all the legislative quacks of that time! How well do I remember some of their successors,

bred by the Populist movement and the free-silver movement! Of all those agrarian agitations, not one single, solitary one ever came to anything so far as solid benefit to the farmer was concerned—not a solitary one of them.

Here now is another similar proposal. We are again asked to defy nature, to scorn the ordinary laws of supply and demand, to experiment with legislative price fixing, to make a whole industry prosperous by artificial legislative hypertrophy.

I do not object, under proper conditions, to the farmer receiving a special benefit. I think that he has peculiar claims to legislative consideration. But bear in mind that whatever the other consequences of this bill may be, one will be to make the cost of living in many respects dearer to every man, woman, and child in this country, including the farmer himself, than it would otherwise be.

When this bill was brought in at the last session it included only some six agricultural commodities. Now it includes all. I doubt very much whether it will work as it is intended to work; but should it do so, of course it would be in the power of the Federal farm board, created by it, at any time that it pleased to create such a dearth in the volume of an agricultural commodity as to make that commodity—whether it is corn or wheat or pork, or whatnot—just that much more expensive to all American citizens, including the farmer himself.

In the region where I live the most profitable branch of agriculture at the present time is the dairy industry. I have had more than one farmer near Baltimore say to me in recent years that but for the milk, butter, and other dairy products which he sold he could not make both ends meet. This bill, however, contemplates nothing less than that for the benefit of the wheat and the corn grower the prices of all the feedstuffs that the dairyman uses in his operations shall be greatly enhanced.

Some Members of the Senate seem to think of farmers merely as producers of the things they sell. They, too, are also consumers of the things that they buy. Farmers, as well as the rest of the community, will buy many agricultural products after this bill goes into effect, if it does go into effect, that they themselves do not raise, and they, as well as the rest of the community, will have to pay the swollen prices which this bill has been devised for the purpose of fixing.

Of course, if the bill works, we shall pass through the same old round of sickening experiences that we passed through when agricultural profits became deflated after the World War. The same spirit of land speculation will be revived; men who are utter tyros, as far as farming is concerned, will again be resorting to farming as a profession. The farm market will again be overstocked. Again there will be entirely too many farmers working the soil, entirely too many farmers growing crops, entirely too many farmers speculating in land, entirely too many farmers borrowing money from the banks. Farm acreage will increase. Farm surpluses will be still more intractable. Again we should see repeated all the disastrous consequences that flowed from the World War period of agricultural expansion. Such results always follow in the economic field from artificial stimulation in any form. They follow just as naturally as intoxication follows from the excessive use of drink.

Some years ago the British in India, alarmed by the number of human beings who were killed every year by the cobra da capello, offered a reward for the head of every cobra. What was the result? The cobras did not diminish in number and soon the fact came to light that the Hindus were actually raising cobras for the purpose of getting the recompense for their heads.

Not only would the pending bill, if it became an act, render every agricultural commodity dearer to all the citizens of our own land, including the farmer himself, but it would make the same commodities cheaper to the inhabitants of foreign lands, thereby enabling our industrial competitors abroad to prosecute their rivalry with us more effectively than ever.

Mr. President, there are innumerable other objections that I could urge to the pending bill, but many of them have become trite and threadbare by constant reiteration in the course of the discussion that has gone on over it. I really had not intended to say anything to-day at any length about it, for I expressed my opposition to it as pointedly, as clearly, and as cogently at the last session of Congress as I was capable of doing. My idea had been until to-day to remain silent with reference to it and simply to register my opposition to it when the time for voting came, trusting that the President of the United States, with the calm mental balance and the fearless spirit that he has always brought to the discharge of his duty in relation to Congress, would again veto it. Indeed, since the publication of his veto message in relation to the McNary-Haugen bill at the last session of Congress it has hardly been necessary for anyone to urge any additional objections to it. I regard that veto message as one of the clearest, one of the most convincing, and one

of the ablest messages that has emanated for many a day from a President of the United States. It was only a few days ago that I took it up again and read it with renewed pleasure and instruction, from its first word to its last, and I only wish I could induce every Member of this body to do the same thing before he votes "aye" or "no" on the pending bill.

Mr. SHIPSTEAD. Mr. President, I am not going to take the time of the Senate to discuss the mechanics of this bill. Everyone knows that the bill is an effort on the part of Congress to make the tariff effective for agriculture. I never at any time have labored under the delusion or tried to make anyone believe that it carries a complete remedy for the agricultural situation in the United States at the present time.

So far as the tariff affects the manufacturing industries of the country and the manufactured articles that the farmer must buy, to that extent it is hoped that the bill will remove the handicap of his having to buy manufactured products in a protected market and sell the raw material in an unprotected market.

There is nothing in this bill that I can see that will remove the handicaps that agriculture suffers from time to time due to the manipulation, the fluctuation of the money and credit situation of the country. There is nothing in this bill to prevent another deflation by the Federal reserve bank system like the one we suffered in 1920 and 1921. There is nothing in this bill to overcome the very heavy burden of freight rates imposed upon agriculture in this country by the passage of the Esch-Cummins railroad law.

If I may, in connection with the discussion of agricultural products, bring to the attention of the Senate the additional burden placed upon the back of agriculture of not only having to buy in a protected market, but the other burden of having to pay the freight both ways on what we have to sell and what we have to buy; and, due to the transportation act, having had freight rates raised from 50 to 75 per cent due to that act, I feel that a discussion of the agricultural situation can not be complete unless that question of freight rates is analyzed with it.

I have here an editorial from the Wall Street Journal, in which the editor pays me the compliment of taking me to task for a statement I made in the city of Minneapolis last fall in discussing the agricultural situation from the economic standpoint. Because we have heard so much about the term "economic soundness" when we discuss the agricultural situation, I thought it might be interesting to the Senate to have an example of the views on economic soundness of some of the high priests of that cult who criticize us for proposing something that is economically unsound and their understanding of the economics of agriculture and the freight situation.

The editorial is headed by a caption "A mistaken Senator." It reads:

People familiar with the United States Senate, and even with United States Senators, say that HENRIK SHIPSTEAD, senior Senator from Minnesota, improves upon acquaintance.

I might say that I do not take the time of the Senate to read that statement simply for the purpose—

Mr. McKELLAR. The Senator will admit it, will he not?

Mr. SHIPSTEAD. I will not admit anything. I will not even admit that it is a compliment. He goes on to say:

He has made occasional speeches in the Senate which were almost entirely devoid of the populist progressive nonsense which was his stock in trade when he entered politics. He is a dentist by profession and credibly reported to be a good one. He returned to his early bad manner the other day.

This is what he said to a gathering of business men in Minneapolis: "The National Government can not create wealth, but it does distribute wealth. Government price fixing has been declared unsound by many experts, yet the Government has fixed prices and the income yield for the railroads. Through a high protective tariff the Government has enabled our industries to fix prices on merchandise, all of which we pay. We pay freight two ways, first on the raw material and then on the manufactured article."

Senator SHIPSTEAD is confusing fixed prices with guaranteed prices, and the Government does not guarantee railroad earnings, much less fix railroad freight rates.

Here is this apostle of economic soundness making the declaration that the Government of the United States does not fix railroad rates. He continues:

The law merely limits those rates. If one of those farmers whose friend Senator SHIPSTEAD professes to be had the profit on what he produces limited by act of Congress to 6 per cent, with anything above that to be divided 50-50 with his improvident neighbors, he would be in the position of the railroads, except that his farm is private property while the railroad is a public utility.

Any railroad can reduce rates, and thousands of reductions have been made since the last horizontal advance was conceded by the Interstate Commerce Commission.

I know of two cases, one on coal, the Lake Cargo cases, and when the Soo Line and the Minneapolis & St. Louis Railroad attempted to lower rates to the seaboard on wheat, and both were denied the privilege by the Interstate Commerce Commission under the law.

The editorial proceeds:

For all the Government, which means Congress, cares the railroads can go into bankruptcy. But no efficiency, however wise and however valuable to the community, will enable the railroad stockholder to earn a reward such as other property holders are allowed to reap without question.

I have on my desk some statistics to show what has been the fate of property and of agriculture in answer to what he says that property has enjoyed since the passage of the transportation act.

The editorial then proceeds:

What does Senator SHIPSTEAD think he means when he says that "we," presumably himself and the farmers, "pay the freight two ways"? Of all men the farmer consumer is least concerned about the tariff. His own product is highly protected, and he is more nearly self-supporting than any of the 72 per cent of our population not engaged in agriculture. Does Mr. SHIPSTEAD think that he pays freight on the wool he ships to market, and pays freight again when that wool is manufactured into cloth? The consumer pays the freight, and if, by some magical process, the farmer's wool could be transported to the factory without cost and without the help of the railroad, the beneficiary would be the manufacturer because he, and not the farmer, pays the freight, taking it back ultimately from the wearers of the cloth he manufactures.

I take it that this is an example of the economic soundness doctrine of these people who have for all these years been fighting some kind of a measure upon which the agricultural sections of the country could agree and upon which a majority of the Congress could agree. I want to analyze his statement. He asks some economic questions in his editorial. I would not take the time of the Senate on this matter did not the economic queries raised deal with one of the principal measures of this session, namely, legislation aiming at stabilization of the agricultural industry.

The point to which the Wall Street Journal takes exception, indeed, the ground which the editorial writer bases his contention that I am a "mistaken Senator," appears to be that the farmer pays the freight two ways. The editor contends that the manufacturer pays the freight on the raw material from the farm to the factory, and thereafter passes the cost of the freight to the consumer.

Our Wall Street editor, therefore, seems to be laboring under the presumption that the farmer is in a position to, and actually does, fix the price on his product, a price presumably based on production cost, and that the manufacturer has to pay this farm-fix price plus cost of transportation.

It is not difficult to understand, Mr. President, where this Wall Street editor has been living during the past 20 years. He has been living not far from his editorial sanctum. Certainly he has never been on a farm, or in a farming community, nor given any attention to farm-marketing conditions, or to the recognized data of the farm problem during the past decade.

It will not be contended that the present Secretary of Agriculture is a radical governed by ideas of "populist progressive nonsense," such as charged in this editorial, or that any such "populist progressive" has held the Agriculture portfolio in the past 20 years. Yet the basic method followed by the Department of Agriculture for years, in its economic analysis to arrive at the farm price, is this well-known rule: Take the market price fixed by the traders and factory buyers at the distant terminal market, deduct from that price the transportation and handling costs between the terminal market and the farm, deduct insurance and commissions and overhead costs and profits of the dealers, and the net residue, or what is left, is the farm price—what the middlemen and factory and railroad permit the farmer to receive for his product.

The farmer has no more voice in naming the price of his product than he has in regulating the revolutions of the stars. So far as the price of his product is concerned, the farmer is to-day, as in feudal time, a subject vassal. He takes what the produce trade, the manufacturer, the elevator system, and the transportation agency see fit to leave him.

He pays the freight on his own product. The freight comes out of the farm price. He pays the commissions, costs, and profits of the middlemen—it all comes out of the farm price. The manufacturer pays only the price fixed by the trade of

which he is a member—and not a cent more. The farmer gets the fixed-trade price less the freight, other costs, and profits. Thus the farmer pays two ways—the freight on what he sells and the freight on what he buys.

And that is the reason why the world to-day has a farm problem. That is why the American Congress, for now the fourth successive session, has wrestled with a farm problem—how to place the farmer on the same economic basis of a fair return as other industry—how to insure him a fair prospect of a farm price yielding production cost, a normal return on his investment, remuneration for his labor, and exemption from the unjust exaction that compels him to pay the freight both ways. The unjust position of the farmer, Mr. President, is that he pays not only his own costs but the costs of everyone else from the time the crop leaves the farm until it enters the mill door.

The farm problem, the condition surrounding the marketing of the Nation's staple crops, is nothing new. It is nothing new in either House of Congress. It is nothing new to the executive branch of Government, as shown by the reports and research work of the Department of Agriculture and its numerous bureaus for nearly a generation, and as shown by numerous messages of the President on the subject. It is not new to the country at large. It is not new to public economists. Indeed, the unfortunate marketing dilemma of agriculture seems to be recognized by all economists discussing our national problem. Did I say all, Mr. President? No; all but one—the editor of the Wall Street Journal.

It is strange that our Wall Street editor is not familiar with the notable economic research work of that "safe and sane" economist, Secretary Jardine, of the Department of Agriculture. These two eminent economists—one in Washington, D. C., as the chief agricultural authority of the present administration, and the other in Wall Street as chief editor of the stock-ticker industry—ought to be able to find agreement in at least the fundamentals of economic interest.

Our Wall Street editor finds that the farmer is "highly protected and he is more nearly self-supporting than any of the 72 per cent of our population not engaged in agriculture."

On the other hand, Secretary Jardine, editor of the Yearbook of Agriculture, 1926, page 1204, finds that the value of the 22 main farm crops dropped from \$12,442,977,000 in the census year 1919 to \$7,036,786,000 in 1926—a shrinkage of \$5,406,000,000, or 43 per cent, in seven years. Secretary Jardine also finds that the shrinkage in value of all crops from \$14,755,000,000 in 1919 to \$8,415,000,000 in 1926 amounts to \$6,340,000,000, a 43 per cent shrinkage in the gross income of American agriculture during a seven-year period, when industrials and railways, as shown by the stock-exchange records of the Wall Street Journal, have shown the greatest expansion of income.

In the daily Market Diary published by the Wall Street Journal we find that the average "high" quotation of the 20 leading industrials has risen steadily from 120.51 in 1924 to 159.39 in 1925 and from that to 166.64 in 1926 and 199.78 in 1927. Here is a three-year increase in the market value of 20 leading industrials netting 77 points, or 64 per cent. A similar rise in value of railway stocks is noted in the Wall Street Market Diary—99.30 in 1924, 112.98 in 1925, 123.32 in 1926, and 144.82 in 1927. The leading 20 railroad securities have advanced in the past three years 45 per cent in stock-ticker values.

Secretary Jardine, in his 1926 yearbook, takes the books of 15,330 typical farms of a larger size, averaging 304 acres, valued at \$14,157 per farm, and works out the average farm income for 1925 on a farm of this presumed better-than-average prosperity. The average gross receipts of this \$14,157 farm are \$2,965 for the year. The cash outlay for labor, taxes, and other expenses is \$1,477. The receipts, less cash outlay, are \$1,074—less than the annual income of a common laborer on a street job. The interest paid averages \$225. There is a credit of \$223 for increase in personal property inventory, partially offset by \$131 paid for farm improvement. The value of the family labor, including the farm owner, is placed at \$994.

This last item is worth attention. The labor of both the owner of the average \$14,000 farm, together with the labor of his family, is computed by the Government as worth \$994 a year, or, less than \$3 a day, and this in a period of so-called nation-wide prosperity.

In table 507, page 1207 of the 1926 yearbook, Secretary Jardine presents the final table of analysis showing "Returns from farming: Returns to labor and capital."

The return to capital on this 304-acre farm is \$778. The return to all unpaid labor is \$542. The return to the operator—family labor at hired labor rates—is \$219 a year. His interest on capital investment at 6 per cent is \$1,029. Therefore he

does well, in taking a gambling chance against the elements and the traders who fix the price of his product, if he comes out at the end of the year with any balance at all to stave off the mortgage holder and sheriff.

Such is the financial status of an industry which leads all others both in the amount of capital investment and in the number of people dependent upon it for a living. The census of 1920 gave the total capital investment of American farms at \$77,923,000,000, which was greater than the combined capital investment of manufactures and mines, national banks, and railways.

Since 1920 the value of farm property has been reduced by \$20,000,000,000; the number of farms has been reduced; the ranks of the farmers have been cut down. The value of farm implements and machinery on the farms has been reduced, as shown by the agricultural census of 1925, by \$900,000,000, and the value of livestock on the farms has been reduced by over \$3,000,000,000.

President Coolidge in his recent message to the Seventieth Congress reminded us, "We must, however, preserve the sanctity of a balanced Budget." He was speaking of the Federal revenue. But the greatest Budget balance sheet the sanctity of which we as representatives of the States are bound in legislative duty to respect is the balance sheet of an industry which even in its depleted state represents a capital investment of \$57,000,000,000, or nearly that of the railways and stock-ticker industrials combined—an industry that supports a rural population of 40,000,000 in producing the food of the Nation and the home market for all industrials.

The grave problem which confronts us now is whether the balance to which the farm industry is presumed to be entitled has any substantial existence in fact. Not only has the halo of sanctity been blown away, but the balance itself is hard to find. It seems to exist only in theory and in red ink.

It must be borne in mind that the select list of 15,000 farms of 300-acre size which Secretary Jardine employed as a basis for arriving at a tiny credit balance at the end of the farm year were exceptional, probably much above the average in prosperity. They were twice the size of the average American farm, and were farms that were supposed to be run on a business basis, farms that kept books. Let us now picture what the balance sheet is likely to show when the agricultural industry is taken as a whole.

The agricultural census of 1925 shows 6,371,640 farms with a total capital investment of \$57,000,000,000 and the annual farm crop valued at \$7,472,000,000. The average farm is 145 acres, worth about \$9,000, and the value of the average crop per farm is a little under \$1,200.

The interest alone, at 6 per cent on the \$9,000 investment, is \$540. This leaves from the \$1,200 crop a balance of \$660 a year to meet taxes, cost of tools, fertilizer, house and barn repairs, medical and burial expenses, but would hardly leave a balance large enough to support the hired man. The cows and chickens would probably pay the grocery bill. But how to raise a balance to clothe the family—that, again, is another thing. The sanctity of the budget balance might depend upon the income from the pigs. But the editor of the Wall Street Journal says that the American farmer is doing better than the average American in other lines of business, notwithstanding the mounting earnings and stock prices of the industrials; while President Coolidge predicts a continued wave of prosperity, crowned with Budget balance sanctity.

A balanced Budget in Federal revenue and expense all approve, but the principle of a balanced Budget should not stop with Federal income in Washington, D. C. Its application should be nation-wide. It is not a healthy sign, Mr. President, when a selected list of industrials shows mounting incomes and stock values reaching 60 per cent in three brief years, while the farms that feed the Nation are being deserted or falling under the sheriff's hammer because they have no balance with which to meet their debts.

We need a balance not only in our Federal Budget but in our prosperity as a nation. The present lack of balance is well illustrated in two cases which I now present. The two authorities to whom I am indebted for the statement of facts are, on the one hand, the Secretary of Agriculture, and on the other, the Wall Street Journal—perhaps the two highest authorities in their respective crop and stock fields.

Secretary Jardine, in his 1926 yearbook, finds that the farm value of wheat per acre in the United States in 1926 (p. 1208) was \$17.12, while the cost of wheat production per acre (p. 1209), based on 1925 cost data, was \$22.41, a loss of \$5.29 per acre, not including fixed charges such as taxes and interest on the farm investment.

In my own State—Minnesota—the value of the wheat crop averaged \$15.86 per acre against \$18.61 as the production cost.

In North and South Dakota, where there was a partial wheat crop failure in 1926, the loss was still more heavy. Montana, Missouri, and Nebraska came out with about the same margin of loss as Minnesota. Kansas showed a slight margin of about \$2 per acre over production cost, but not enough to meet taxes and interest on the farm investment. Iowa, Oklahoma, and Texas realized a small balance over production cost, but hardly enough to pay interest, taxes, the grocer, and oil and garage charges. Pacific Coast States failed to recover production cost.

The wheat growers of the great State of New York—it seems that somewhere west of Wall Street farmers are still growing wheat—realized a farm value of \$23.10 per acre for their wheat crop, while the cost of raising it was \$32.75 per acre. That is to say, New York wheat growers failed to get back their production cost by a margin of \$9.65 per acre. To meet their taxes and interest on capital invested, pay the grocer and the cost of painting the house and shingling the barn, the wheat growers of the Genesee Valley perhaps called upon an intermediate credit agency in Wall Street. But it is doubtful if even the keen ear of a Wall Street editor was able to detect on the stock ticker any sound like a dividend for the wheat growers of New York State.

Turn now to the companion picture—the Wall Street Journal report of December 9 on the National Biscuit Co., an industrial which converts the farmer's wheat into the finished product, crackers. "National Biscuit expansion broad" is the headline and then follows this amazing tale of five-year profits:

When National Biscuit sold at 179 recently, it was 84½ points above the low of the year. Old shareholders who have held the stock since before 1922, when it was split on a seven to one basis, see their old stock selling to-day on a basis of \$1,253 a share, and their income at the current rate of \$6 a share and \$1 extra is \$49 a share.

Par value of National Biscuit shares is \$25. So in five years of industrial prosperity this \$25 share has been split seven to one, until the original share is now worth \$1,253, and earns this year \$49 on the original \$25 par—or, about 196 per cent on the 1922 investment. The Wall Street Journal truly says that National Biscuit expansion is "broad." We are not surprised at the further information:

PROBABILITY OF A 30 PER CENT STOCK DIVIDEND

It is believed this policy will develop with a probability of a 30 per cent stock dividend or more, representing the money put into the plant in the last five years being declared.

Naturally, what can the company do when its profits are so "broad," except to issue a "stock dividend or more"? Besides, when the profits are swollen to stock-dividend size, there is economy in converting them into a stock dividend, because stock dividends are exempt from the income tax.

The report closes by calling attention to the strong balance sheet of the National Biscuit Co.—"net current assets of \$32,525,294 and current liabilities of \$5,465,148, a ratio of approximately six to one." Further we read:

Cash alone at \$5,540,213 exceeded current liabilities and the company had \$14,000,000 in Government securities.

Here is a budget balance that would appeal to the President. The sanctity of its budget balance has been so well preserved that, to quote the closing sentence of the Wall Street Journal report:

It is quite possible that earnings for the full year, despite the usual generous writeoffs, will show considerably better than \$7 a share on the junior stock (par \$25).

The friends of agriculture in the Seventieth Congress, Mr. President, make no demands for a Budget balance as "broad" or as full of "sanctity" as that so ably described by the Wall Street Journal. No farmer dreams of earning \$7 net on each \$25 invested, but he does hope to recover production cost and enough to pay interest and taxes. No one has yet devised a scheme by which farm shares can be split 7 to 1, so that a \$25 investment will be worth \$1,253 in five years and earn \$49 a year on the original \$25. But the Seventieth Congress does hope, I believe, that some just and workable measure of market stabilization may be established that will prevent a farm capital shrinkage of another \$20,000,000,000 in the next seven years and a 43 per cent drop in the value of American crops.

We have been speaking of wheat and comparing the returns of the wheat grower with the returns of an industrial that converts wheat into a finished product. Let us now compare the price returns of the farm from hides with the price of the finished product, shoes. For our authority we have Secretary Hoover, editor of the Commerce Yearbook, 1926.

On page 527 Mr. Hoover finds that the average price of No. 1 Chicago calfskin during the years 1912-1916 was 21.3 cents

a pound. The price at the end of 1926 was 17 cents a pound—a drop of 4.3 cents a pound.

A companion finished product, men's blucher calf shoes, page 538, rose in price from \$3.11 in 1913 to \$6.40 in 1926—an increase of something over 100 per cent.

It is plain that the farm producer had very little to say about the price of his hides, while the producer of men's blucher calf shoes had a good deal to say about fixing the price of his product. That the farmer paid the freight both ways is plain enough when we note that the farm product, hides, dropped 20 per cent during the period when the finished product, calf shoes, rose 100 per cent. Here is a case where the farmer pays the freight not two ways merely, but several other ways not enumerated.

Mr. President, I wish now to clinch the point as to who pays the freight by bringing into harmony those two eminent authorities, the Wall Street Journal and the Secretary of Agriculture. The proof of the point lies even in the market columns of the Wall Street Journal and other commercial dailies of the metropolitan centers, and the basic evidence has been admitted in fact, though not in theory, for over a generation.

When wheat, for example, is on an export basis, which is most of the time, the market price is fixed in Liverpool. That is why the grain trade and all commercial journals cite the Liverpool price in publishing market quotations. With the Liverpool price as a base when wheat is on an export basis, the New York price, other conditions being the same, is the Liverpool price less the freight, insurance, and commissions between Liverpool and New York, and the Chicago price, allowing for the gambling raids of bulls and bears, is the Liverpool price less the freight, other expenses, and profits between Liverpool and Chicago. Finally, the farm price computed by the Department of Agriculture for the Mississippi and Missouri Valley wheat belt is the Chicago price less the freight, profits, and other costs between Chicago and the farm.

Thus all the freights by rail and ocean and all the costs and profits between Liverpool and the farm come out of the farm value of the crop. The farmer pays all the costs at the source, when he sells his crop at the terminal market price less the freight, less all the costs, less all the profits. The editor of the Wall Street Journal has only to consult his own market columns, both the market quotations and the daily market discussion, to find that he and his numerous colleagues in the stock and produce exchange markets have admitted and taken the facts for granted from the day they or their fathers and grandfathers published their first market quotations in years so far gone that they have forgotten the significance of their own findings.

Why do the market journals and the Yearbook of Agriculture publish the Liverpool price for the American product wheat? Because the Liverpool price is the clearing-house base and the yardstick for wheat price fixing the world around. Given the Liverpool price when wheat is on its normal export basis, our Department of Agriculture knows the farm price in every State in the Union by simply charging to the farmer and deducting from his price all the costs by rail and sea for 3,000 to 5,000 miles of transportation. Does the farmer pay the freight? He pays the freight and more. He pays the insurance and commissions. He pays for the handling, the overhead, and the profits of all the intermediary agencies and gambling paraphernalia between Liverpool and the western farm.

Take a case. The 1926 yearbook, issued by Secretary Jardine for the information of agriculture and the grain trade, gives the Liverpool wheat price for December, 1926, as \$1.80 per bushel. The average combined price for the four principal wheat markets—Chicago, Minneapolis, Kansas City, and St. Louis—for December wheat is \$1.39. The estimated December farm price received by wheat producers is \$1.19.

In other words, between the Liverpool \$1.80 the freight and other costs and profits being deducted bring the average price at the four mid-western terminal markets down to \$1.39, a net deduction of 41 cents a bushel. Between the \$1.39 of the four mid-west markets and the farm there is an average freight and profit deduction of about 20 cents a bushel, bringing the farm price down to \$1.19. Did the farmer pay the freight? The price he received tells the story. He not only paid the freight but he paid all the costs and profits from the farm to Liverpool, amounting to 61 cents per bushel, which is shown by the farm price which the accountants and statisticians of the Federal Department of Agriculture have computed for him.

Mr. President, I have given an analysis of the marketing of farm products, including the freight situation, as outlined for us in the reports of the Secretary of Agriculture and the editor of the Wall Street Journal, in order that the picture, if it is possible to make it more clear, shall be made more clear.

It has been difficult to diagnose the situation in order that we may prescribe a remedy. It has been very difficult to find a remedy. It has been difficult to agree upon a remedy. It has been difficult to agree upon a remedy that is adequate and complete. I doubt very much that we have a remedy here that is adequate and complete. We can not afford to fool ourselves, nor can we afford to fool the American people. I think we are making a step in the right direction. We have agreed upon a legislative measure that it is admitted will be of considerable help. This is the first time to my knowledge that the American people have ever been able to agree upon a measure that will have such widespread effect in the solution of a great national problem.

I am not going to go into any detailed discussion of the arguments that have been based upon the unconstitutionality of appropriating money out of the Federal Treasury to help a private business. One very distinguished Senator discussed the unconstitutionality of taking money out of the Federal Treasury to aid private business. In my opinion, it makes no difference whether you take the money out of the Federal Treasury or out of the pockets of the American people; it all comes from the same source; and I contend that for the past 30 or 40 years this Government has been busy taking money out of the pockets of our citizens to help private business all over the country except the farmer.

What was the transportation act, the Esch-Cummins railroad law, but taking money out of the pockets of American citizens for the benefit of shareholders of railroad corporations? Where does the money in the Federal Treasury come from if not from the pockets of the American people? It is true that in filling the Treasury of the United States you call it taxes; in filling the treasuries of the railroads you call it freight rates; but the laws under which both treasuries are filled are passed by Congress, and the payment is inevitable. So, whether you take the money out of the Federal Treasury, or pass a law like the high protective tariff or the Esch-Cummins railroad law, you are passing legislation the effect of which is to take money out of the pockets of American citizens to help private individuals; and it is that kind of legislation that we have been protesting against for years.

Of course it is paternalistic. Of course, it is bureaucratic. We have always protested against it. We have never wanted it. We did not create this situation. It has been created for us, and in self-defense we are forced now to come to Congress for our own preservation and protection and ask for the same kind of legislation to protect the agricultural industry, involving the investment of more money than is invested in all the transportation companies and all the industrial companies of the United States, where the welfare of 40,000,000 people is involved. In their behalf we are asking for this legislation now.

I said in the beginning, and I say now, that I do not believe this bill carries an adequate and complete remedy for the situation; but it is something that we have agreed upon, and we have taken a step further in advance than we have in the past 25 years in the solution of this problem.

I have tried to protest against taking money out of the Treasury of the United States to send the marines down to Latin America for the purpose of protecting the investment, which is not large, of American interests there. If we are going to spend money for the protection of American property, if we are going to uphold the sanctity of property anywhere, we ought to do it first with American citizens here at home. Why can not some of these people who are so anxious to spend thousands and millions of dollars, they say, for the protection of American investments abroad, spend something to protect the rights of property, the sanctity of property, and investments in the United States?

The slogan for some years has been "We must put agriculture on a par with industry." If this legislation becomes a law, and if it accomplishes everything that has been claimed for it, it will still come far short of putting agriculture on a par with industry.

They say we ask too much. We have not asked enough. We are asking for the return of a little of what has been taken away from us. If the business of the Government is to protect property, it is the business of the Government to protect the property of all of its citizens, and not take property from the many for the benefit of the few. That is the business of government—to establish justice for all of the people and not merely for the few.

Mr. McKELLAR. Mr. President, I desire first to modify some of the amendments I have offered. I will ask the clerk to state the first amendment as modified.

The CHIEF CLERK. On page 5, after line 15, the Senator from Tennessee proposed to insert an amendment beginning, "No action having a general application." It is proposed to strike out the words "a general" and insert the words "an exclusive," so that it will read:

No action having an exclusive application to any one commodity shall be taken by the board unless first approved by a majority of the advisory council.

Mr. SHORTRIDGE. Mr. President, will the Senator have the goodness to explain the significance of that proposed amendment?

Mr. McKELLAR. The original amendment seems to be satisfactory to everyone, except for the words "a general" before the word "application." I will have to read the amendment in order to explain it to the Senator. As modified it would read:

No action having an exclusive application to any one commodity shall be taken by the board unless first approved by a majority of the advisory council.

It was thought by a number of Senators that the words "a general" should be stricken out and that the words "an exclusive" should be inserted. That is acceptable to me, and I ask that the amendment be adopted as modified.

Mr. DILL. Mr. President, does not that amendment make the advisory council the really powerful body under the bill?

Mr. McKELLAR. No, it does not; it merely gives the advisory council of a certain commodity the right to veto actions upon the part of the board that have exclusive application to that particular commodity, that is all. The general administration of the act, all the powers of the act, are still in the board.

Mr. DILL. I understand that; but does it not make it the authoritative body as to the particular product under consideration to which the law would apply, or on which this board would act?

Mr. McKELLAR. It would give it this authority of veto. It would have no other power. It would have no power to initiate action. I will illustrate.

Suppose an equalization fee is proposed by the general board to be placed upon wheat. I believe wheat is raised in the Senator's State in large quantities. Suppose a majority of the advisory council should be opposed to putting an equalization fee upon wheat at that time, that majority of the council would have the power to veto the action of the board.

Mr. DILL. Then it becomes, in fact, the ruling power as to whether or not a product shall come under the terms of the bill.

Mr. McKELLAR. Oh, yes.

Mr. DILL. So that it becomes really the powerful body as affecting the product under consideration.

Mr. McKELLAR. It has that power. It does not become the powerful body, because it would have no power of initiation, no power to carry out the terms of the act. It simply would have a veto power on such a question as that.

Mr. DILL. Neither would the general board have power of initiation, if the advisory council objected to it.

Mr. McKELLAR. It would have the power of initiation, but not the power of carrying out until it was approved by the advisory council.

Mr. HARRIS. The advisory board, I understand, would have the veto power, and could postpone indefinitely, if it wished.

Mr. McKELLAR. If it desired, as long as they voted that way.

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on agreeing to the amendment offered by the Senator from Tennessee, as modified.

The amendment as modified was agreed to.

Mr. McKELLAR. I will ask the clerk to state the next amendment.

The CHIEF CLERK. On page 7, after line 11, insert:

No marketing period under section 7 in respect of any agricultural commodity shall be commenced or terminated unless the advisory council for such commodity concurs in the respective finding or findings which the board is required to make prior to the commencement or termination of the marketing period. No equalization fee shall be collected unless the estimates upon which the determination of the amount of the equalization fee is based are concurred in by the advisory council for the commodity.

Mr. McKELLAR. That is the amendment which was suggested by the Senator from Arkansas [Mr. CARAWAY] and very strongly approved by the Senator from Idaho [Mr. BORAH], about which we had the controversy a few moments ago. It takes the place of the two amendments on page 3 of the amendment offered by me. I ask that the amendment as read be adopted.

Mr. BLEASE. Mr. President, I suggest the absence of a quorum. I do not think these important amendments ought to be acted on in the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Tennessee yield for that purpose?

Mr. McKELLAR. I yield for that purpose. I would like to have a quorum present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

| | | | |
|-----------|-------------|----------------|--------------|
| Barkley | Fess | McKellar | Shipstead |
| Bayard | Fletcher | McLean | Shortridge |
| Bingham | Frazier | McMaster | Simmons |
| Black | Gerry | McNary | Smith |
| Blaine | Glass | Mayfield | Smoot |
| Bleasie | Goff | Metcalf | Steiner |
| Borah | Gooding | Moses | Stephens |
| Bratton | Gould | Neely | Swanson |
| Brookhart | Greene | Norbeck | Thomas |
| Bruce | Hale | Nye | Tydings |
| Capper | Harris | Oddie | Tyson |
| Caraway | Harrison | Overman | Vandenberg |
| Copeland | Hawes | Phipps | Wagner |
| Couzens | Hayden | Pittman | Walsh, Mass. |
| Curtis | Heflin | Ransdell | Walsh, Mont. |
| Cutting | Jones | Reed, Pa. | Warren |
| Dale | Kendrick | Robinson, Ind. | Waterman |
| Dill | Keyes | Sackett | Watson |
| Edge | King | Schall | Wheeler |
| Edwards | La Follette | Sheppard | |

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, there is a quorum present. The question is on agreeing to the amendment of the Senator from Tennessee to insert on page 7, after line 11, what has been read at the desk.

The amendment was agreed to.

Mr. McKELLAR. I will ask the clerk to state the next amendment.

The VICE PRESIDENT. The next amendment proposed by the Senator from Tennessee will be read.

The CHIEF CLERK. On page 11, line 2, strike out all after the word "as" and insert in lieu thereof:

the board finds that such arrangements are no longer necessary or advisable for carrying out the policy in section 1, and if such findings are concurred in by a majority of the advisory council.

The amendment was agreed to.

Mr. McKELLAR. I ask that the clerk may state the next amendment.

The CHIEF CLERK. On page 13, after the word "or," in line 19, insert the words "after giving 12 months' notice to the advisory council of the commodity affected."

The amendment was agreed to.

Mr. McKELLAR. I now offer the next amendment.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 13, line 24, after the word "office," insert the words "and the approval of a majority of the advisory council."

The amendment was agreed to.

Mr. McKELLAR. I offer now the next amendment.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 15, line 2, strike out all after the period down through the word "publish," in line 4, and insert in lieu thereof:

Upon the basis of such estimates there shall be from time to time determined, and if such estimates are concurred in by a majority of the advisory council for such commodity the board shall publish.

The amendment was agreed to.

Mr. McKELLAR. I now offer the next amendment.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 15, line 13, insert the following:

The equalization fee herein provided for upon any commodity shall not be imposed until the same is approved by a majority of the advisory council for that commodity.

Mr. McKELLAR. I may state that that becomes necessary because it is directly under that part of the bill referring to the equalization fee. It has been stated in substance already by the amendment to which the Senator from Idaho [Mr. BORAH] has referred and which he has in mind.

Mr. CARAWAY. If the Senator from Tennessee will pardon me, I think he is getting into the bill two contradictory provisions.

Mr. McKELLAR. In order to determine that question, I ask that the amendment may go over for the present.

The VICE PRESIDENT. The amendment will be passed over.

Mr. McKELLAR. I ask that the next amendment may be stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 15, line 15, strike out the words "determined upon" and insert in lieu thereof the words "so published."

The amendment was agreed to.

Mr. McKELLAR. The next two amendments, set forth in lines 14 to 18 on page 4 of my proposed printed amendments, I now withdraw and ask that the next amendment may be stated.

The VICE PRESIDENT. The next amendment will be stated.

The CHIEF CLERK. On page 24, line 1, before the word "dollars," strike out "two hundred and fifty million" and insert in lieu thereof "four hundred million," so as to read:

There is hereby authorized to be appropriated, etc., \$400,000,000.

The VICE PRESIDENT. The question is on agreeing to the amendment. [Putting the question.] The nays seem to have it.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FESS (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. Not knowing how he would vote on this question, I withhold my vote.

Mr. PHIPPS (when his name was called). On this vote I have a pair with the junior Senator from Georgia [Mr. GEORGE]. I am informed that if he were present he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. CARAWAY (when the name of Mr. ROBINSON of Arkansas was called). My colleague the senior Senator from Arkansas [Mr. ROBINSON] is confined to his apartment by illness. If he were present, he would vote "yea."

The roll call was concluded.

Mr. HARRIS. My colleague the junior Senator from Georgia [Mr. GEORGE] is unavoidably absent. If present, he would vote "yea."

Mr. KING (after having voted in the negative). I have a general pair with the junior Senator from Nebraska [Mr. HOWELL]. I am unable to obtain a transfer and am compelled reluctantly to withdraw my vote. If permitted to vote, I should vote "nay."

Mr. JONES. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from Missouri [Mr. REED];

The Senator from Massachusetts [Mr. GILLET] with the Senator from Florida [Mr. TRAMMELL]; and

The Senator from Delaware [Mr. DU PONT] with the Senator from Massachusetts [Mr. WALSH].

Mr. GERRY. I wish to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Massachusetts [Mr. WALSH], and the Senator from Nevada [Mr. PITTMAN] are necessarily detained on official business.

Mr. McKELLAR. I wish to announce that the Senator from Iowa [Mr. STECK] is necessarily detained from the Senate and that if present he would vote "yea" on this amendment.

The result was announced—yeas 43, nays 30, as follows:

YEAS—43

| | | | |
|-----------|-------------|----------------|-----------|
| Barkley | Dill | McKellar | Sheppard |
| Black | Fletcher | McMaster | Shipstead |
| Blaine | Frazier | McNary | Simmons |
| Borah | Gooding | Mayfield | Smith |
| Bratton | Harris | Neely | Stephens |
| Brookhart | Harrison | Norbeck | Thomas |
| Broussard | Hayden | Nye | Tyson |
| Capper | Heflin | Overman | Wagner |
| Caraway | Jones | Ransdell | Watson |
| Copeland | Kendrick | Robinson, Ind. | Wheeler |
| Cutting | La Follette | Schall | |

NAYS—30

| | | | |
|---------|--------|------------|--------------|
| Bayard | Gerry | McLean | Steinwer |
| Bingham | Glass | Metcalf | Tydings |
| Blease | Goff | Moses | Vandenberg |
| Couzens | Gould | Odell | Walsh, Mont. |
| Curtis | Greene | Reed, Pa. | Warren |
| Dale | Hale | Sackett | Waterman |
| Edge | Hawes | Shortridge | |
| Edwards | Keyes | Smoot | |

NOT VOTING—20

| | | | |
|---------|---------|-----------|----------------|
| Ashurst | George | Norris | Robinson, Ark. |
| Bruce | Gillett | Philips | Steck |
| Deneen | Howell | Pine | Swanson |
| du Pont | Johnson | Pittman | Trammell |
| Fess | King | Reed, Mo. | Walsh, Mass. |

So Mr. McKELLAR's amendment was agreed to.

Mr. McKELLAR. Mr. President, it has been suggested that the next amendment in my printed amendments might well go over until to-morrow morning. So I ask that it may be passed over until that time and that the following amendment may be stated.

The VICE PRESIDENT. The next amendment will be stated.

The CHIEF CLERK. On page 26, after line 21, insert:

The word "majority" means a majority of the whole board or advisory council authorized to be appointed.

The amendment was agreed to.

Mr. NORBECK. Mr. President, the question has been asked by one of the new Members of this Chamber, Who is this F. W. Murphy who is here in the interest of legislation intended to establish economic equality for agriculture? For the enlightenment of those who do not know, I desire to say that his home is in western Minnesota near the South Dakota State line. He is a large farm owner and operator and has been such for 25 years.

He is one of the original incorporators and ever since a stockholder in a number of cooperative farm organizations in his own county.

He is a member of the Minnesota Farm Bureau Federation.

For 10 years he was a member of the board of managers of the Minnesota State Agricultural Society and for 2 years its president.

Ever since its organization, in July, 1924, he has been chairman of the board of the American Council of Agriculture, which organization is made up of more than 50 farm organizations of the United States.

Since its organization he has been chairman of the board of the Minnesota Council of Agriculture.

He is one of the originators of the McNary-Haugen type of legislation and leader of the agricultural forces of the Northwest during the last five years sponsoring the McNary-Haugen bill.

He has spent 15 months in Washington during sessions of Congress in the last five years urging enactment of the McNary-Haugen bill.

He participated in the organization of the Corn Belt Federation of Farm Organizations, which meeting was held in Des Moines in December, 1925.

The Corn Belt federation is composed of nearly 50 farm organizations of the States of Montana, North and South Dakota, Kansas, Nebraska, Oklahoma, Iowa, Minnesota, Illinois, Indiana, and Wisconsin. Its legislative committee is made up of 21 members. He has acted as chairman of this legislative committee since the Corn Belt federation was organized, and as such has been in active charge in behalf of the Corn Belt federation work here in Washington for the enactment of the McNary-Haugen bill.

He has not had one cent of compensation from any source for all of the services he has performed for agriculture.

He is not one of the District of Columbia farmers; in fact, I wish to say he has been our inspiration. He is one of the few persons who have spent their time and effort in Washington working for this measure. He has done it without salary and without compensation. He has done it for the good of the cause.

I submit for the RECORD a list of the farm organizations which Mr. Murphy represents.

The VICE PRESIDENT. Without objection, the list will be printed in the RECORD.

The list is as follows:

The Corn Belt Federation of Farm Organizations includes 49 farm organizations of the States of Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Montana, Idaho, Washington, Minnesota, Wisconsin, Iowa, Illinois, and Indiana.

The president of the federation is Mr. William Hirth, Columbia, Mo. The secretary of the federation is Mr. A. W. Ricker, St. Paul, Minn.

The federation's legislative committee of 21 members, of which Mr. F. W. Murphy is the chairman, has had charge of the campaign from those States for the McNary-Haugen bill. It is comprehensively representative of organized agriculture in the above States. The legislative committee's membership is:

F. W. Murphy, Wheaton, Minn., chairman of board American Council of Agriculture.

James Manahan, St. Paul, Minn., Equity Cooperative Exchange.

Ralph Snyder, Manhattan, Kans., president Kansas Farm Bureau.

C. W. Huff, Salina, Kans., president Kansas Farmers' Union.

Thomas Cashman, Owatonna, Minn., executive board, Minnesota Farm Bureau Federation.

Charles E. Hearst, Des Moines, Iowa, president Iowa Farm Bureau Federation.

H. G. Keeny, Omaha, Nebr., president Nebraska Farmers' Union.

Milo Reno, Des Moines, Iowa, president Iowa Farm Bureau Federation.

William Hirth, Columbia, Mo., president Missouri Farmers' Association.

William Settle, Indianapolis, Ind., president Indiana Farm Bureau Federation.

C. B. Steward, Lincoln, Nebr., secretary Nebraska Farm Bureau Federation.

C. N. Croes, Aberdeen, S. Dak., president South Dakota Wheat Growers' Association.

James O'Shea, Roberts, Mont., president Montana Farmers' Union.

C. C. Talbott, Forbes, N. Dak., president North Dakota Farmers' Union.

John Simpson, Oklahoma City, Okla., president Oklahoma Farmers' Union.

Charles Weller Mitchell, S. Dak., chairman South Dakota Agricultural Equity Commission.

E. E. Kennedy, Pontiac, Ill., secretary Illinois Farmers' Union.

G. P. Mix, Moscow, Idaho, president Idaho Export Commission League.

Joe Plummer, Akron, Colo., Colorado Wheat Growers' Association.

J. C. Schumann, Watertown, Wis.

Walter J. Robinson, Spokane, Wash., president Northwest Wheat Growers' Association.

In addition to the above organizations the following are also some of the other members of the federation:

North Dakota Wheat Growers' Association.

Farmers' Union of South Dakota.

Farm Bureau of South Dakota.

South Dakota Equality Commission.

Farmers' Union Terminal Association of Minnesota.

Farmers' Union Shipping Association of Illinois.

Illinois Farmers' Union.

Minnesota Council of Agriculture.

South Dakota Council of Agriculture.

Minnesota Wheat Growers' Association.

National Corn Growers' Association.

American Council of Agriculture.

Mr. NORBECK. The question has also been asked, Who is Chester Davis that is here "lobbying" for the farmers? I think the junior Senator from Montana [Mr. WHEELER] answered that question very well. I may supplement what he said by stating that Mr. Davis was at one time a resident of the same town in South Dakota that is my home. I have known him for a good many years and have every confidence in his ability, good judgment, and high purposes. He is alert and capable. His ability is being recognized even by the opposition, who are irritated by his activities.

I wish to state further that a Senator on the floor yesterday referred to Mr. Peek as a man who claims to be a leader in this movement. That is an error. It is, in fact, a false charge. Mr. Peek has never claimed to be a leader. He just claims to be a soldier in the ranks. He works intelligently and actively for this measure that is calculated to give the Northwest a square deal. Why should a Northwest Senator attack him? His service has been unselfish and of a high quality.

The fact that he was at one time in the business of manufacturing farm machinery only adds to his better understanding of the agricultural inequality.

The charge that he has delayed the vote on this bill is ridiculous, as was shown by the reply of the Senator from Oregon [Mr. McNARY] yesterday. I should like to have printed in the Record a letter from Mr. Peek to myself giving considerable information; second, a letter from Governor Hammill, of Iowa, to Mr. Peek, and a copy of the law appropriating money for the support of the organization. Next, a letter dated December 9, 1927, from the senior Senator from North Dakota [Mr. FRAZIER] to Mr. Peek and the reply by Mr. Peek to the Senator from North Dakota.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NORTH CENTRAL STATES AGRICULTURAL CONFERENCE,
EXECUTIVE COMMITTEE OF TWENTY-TWO,
Washington, D. C., April 11, 1928.

Hon. PETER NORBECK,

United States Senator, Washington, D. C.

DEAR SENATOR NORBECK: The Senator from Iowa [Mr. BROOKHART] made some misleading and erroneous statements in his remarks yesterday, April 10, in connection with farm legislation and my own activities to which I direct your attention, in the hope that you will see that the RECORD is kept clear.

(1) The Senator says I am a banker and represent the bankers of 11 States.

I am not a banker in any sense, except that I own 10 shares of stock in a city banking institution, nor do I represent any banker or any bankers' association except as they may be a part of the commonwealth of the North Central States. I am not now and I have not been engaged in any active business since the spring of 1924, except farming. I own four farms, am operating two of them and financing operations of the other two, one exclusively and the other partially. My position

was made clear by your remarks on April 5, when in introducing into the CONGRESSIONAL RECORD the memorandum to which the Senator of Iowa refers, you said (CONGRESSIONAL RECORD, p. 5926), in speaking of my committee:

"This conference was organized at a meeting of governors or delegates from the 12 North Central States called by Gov. John Hammill, of Iowa, in January, 1926. The purpose of the committee is to back organized agriculture in its effort to secure economic equality with industry."

It seems strange to me that the Senator did not refer in his remarks to the action of the farm organizations' support of the McNary bill, particularly the action of the Corn Belt committee in Des Moines last week in indorsing it.

The public will readily understand the difference between backing the activities of the farm organizations in their effort to secure legislation and "claiming" to be the leader of the farm movement in the United States.

The extent to which my committee is supported by the people of the State of Iowa is indicated by the action of the General Assembly of the State of Iowa March 14, 1928, in appropriating \$5,000 for the use of the committee for the purpose of securing agricultural relief and equality. (Letter from Governor Hammill of March 14, 1928, and copy of resolution adopted attached.)

The Senator said, "He claims to be the leader of the farm movement in the United States at this time." I have not claimed to be the leader of the farm movement, nor have I claimed to represent any farm organizations.

(2) In reference to the unwarranted charge that I am more interested in the political fortunes of some individuals than I am in farm relief, I inclose a letter from Senator FRAZIER, dated December 9, 1927, with copy of my reply on December 14, 1927, which explained my position at that time and now. (Correspondence attached.)

(3) I have never interviewed the Senator from Iowa, any other Senator, or any citizen of the United States on behalf of the candidacy of any individual of either party. I have discussed political possibilities with many people, including a number in both parties who have been mentioned in connection with the 1928 campaign. These discussions invariably have been initiated by some one else rather than by me. As to his charge that I am the campaign manager for the Vice President, that is not only untrue but such a situation has never been discussed by anyone so far as I know.

(4) In connection with Mr. Hoover's activities, I repeat that on account of them he is more responsible for the continued depression in agriculture than any other man in the Nation, because he has been the agricultural advisor of the last two administrations, has refused to support the program of the farmers, and has brought forth no constructive proposals of his own, although the probable effects of a laissez faire attitude were called to his attention in January, 1922.

(5) As to how my statement of April 3 came to appear in the RECORD, I quote my memorandum to you of April 5, 1928, which explains my action and the reasons for it:

"This memorandum was prepared upon request of the late Senator Willis, who told Mr. Murphy and me some three weeks ago that these pamphlets were being widely distributed in Ohio and that he desired to know the facts in connection with Mr. Hoover's record as a friend to the farmer, as the farm organizations knew them.

"I have since learned that in addition to the two pamphlets to which this memorandum is addressed other pamphlets and propaganda material on behalf of Mr. Hoover is being widely distributed. I have concluded, therefore, to pass on the memorandum to you in the hope that you will see that it is placed in the RECORD that the country may know the truth, as distinguished from the representations being made in Mr. Hoover's behalf, in connection with his record as a friend of the farmer."

"Respectfully,
Sincerely yours,

GEORGE N. PEEK."

GEORGE N. PEEK.

EXECUTIVE DEPARTMENT, STATE OF IOWA,
Des Moines, March 14, 1928.

Mr. GEORGE N. PEEK, Chicago, Ill.

MY DEAR PEEK: Inclosed herein I hand you copy of bill which was passed by the Iowa Legislature to-day, which was prepared and its passage requested by me. Hope you are progressing with this committee in a manner that will secure results. If I can be of further service, call upon me.

Cordially,

JOHN HAMMILL, Governor.

An act to appropriate a fund for the expenses of the Committee of Twenty-two (22) organized and created under call of Hon. John Hammill, Governor of Iowa, to carry on the endeavor to procure agricultural relief and equality.

Be it enacted by General Assembly of the State of Iowa—

SECTION 1. Appropriation. There is hereby appropriated to the chairman and treasurer of the Committee of Twenty-two, organized and

created at Des Moines, Iowa, under call of the Hon. John Hammill, Governor of Iowa, for the purpose of procuring agricultural relief and equality, out of funds not otherwise appropriated, the sum of \$5,000, or so much thereof as may be deemed necessary to pay the expenses of said committee in carrying on their work and endeavor to procure agricultural equality and relief. All unexpended balances shall revert to the State. An itemized report of all expenditures shall be made to the Governor of the State of Iowa by the chairman and treasurer of said committee, showing the expenses incurred by it, and said report shall be placed on file with the secretary of state.

SEC. 2. This act being deemed of immediate importance shall be in force from and after its publication in the Elkader Register, a newspaper published in Elkader, Iowa, and the Des Moines Register, a newspaper published in Des Moines, Iowa.

CLEM F. KIMBALL,
President of the Senate.

HOWARD A. MATHEWS,
Speaker pro tempore of the House.

I hereby certify that this bill originated in the senate and is known as senate file No. 11, special session.

WALTER H. BEAM,
Secretary of the Senate.

Approved March 14, 1928.

JOHN HAMMILL, *Governor.*

UNITED STATES SENATE,
COMMITTEE ON POST OFFICES AND POST ROADS,
December 9, 1927.

HON. GEORGE N. PEEK,
Chairman Agricultural Conference,
1133 Investment Building, Washington, D. C.

MY DEAR MR. PEEK: I am very much interested, as you know, in seeing worthwhile farm relief legislation passed at this session. I am convinced, too, that the people of my section of the country are insistent upon the equalization plan remaining in the McNary-Haugen bill and also upon the passage of the bill.

Persistent rumors have come to me that you are more interested in pushing some of the presidential candidates than you are in farm relief and that you are using farm legislation as a means to that end. Now, I am frank in this statement because I feel that those rumors are likely to be a hindrance to the passage of favorable farm legislation.

I would appreciate a frank statement from you in regard to this story which is being circulated.

Assuring you of my best wishes, I am,

Yours truly,

LYNN J. FRAZIER.

WASHINGTON, D. C., December 14, 1927.

HON. LYNN J. FRAZIER,
United States Senator, Washington, D. C.

DEAR SENATOR FRAZIER: In reply to your letter of December 9 I want you to know that I appreciate your frankness in asking me to comment on the rumor reported to you that I am more interested in pushing some of the presidential candidates than I am in farm relief. I do not know where such rumors originate, but I do know that whoever is responsible for them has not acquainted himself with the simple facts or else deliberately misstates them.

First, I wish to say that in my judgment effective relief for agriculture is more important to the Nation than is the political success of any individual or of any political party. I am confident that the record of my activity in trying to advance agricultural equality demonstrates that I have been guided by that principle.

Your inquiry justifies a brief review of that record. Since 1921, when it first became apparent that unless something was done the burden of postwar deflation would be thrust on the farmers, I have devoted most of my thought and effort to the problem of securing a national policy that would protect and stabilize agriculture on a basis of equality with other industries. Since 1924 I have been engaged in no other business.

Up to that time, with the exception of the war period, when I served on the War Industries Board, I was in the farm-implement business. The farmer was my only customer. When my business fell off because the farmer was "going broke" and could not buy I first set to work to study the cause; then to see if something could not be done about it.

In the fall of 1921 I presented certain conclusions and recommendations, which subsequently became the basis for the first McNary-Haugen bill, to officers of the American Farm Bureau Federation. In January, 1922, I published this material in the pamphlet *Equality for Agriculture*, which was widely circulated. At that time I presented the recommendation to Secretary of Agriculture Henry C. Wallace and Sidney Anderson, chairman of the Joint Commission of Agricultural Inquiry, indirectly to President Harding and Secretary Hoover and later directly to President Coolidge. In the Harding agricultural conference in 1922 I assisted in getting a resolution adopted calling on Congress and the President to take steps immediately to restore the fair exchange value of the farmers' dollar. Early in 1924, while the first McNary-Haugen

bill was under consideration in the House Committee on Agriculture, I came to Washington at the request of some of the farm leaders and of Secretary Wallace to assist in getting the measure before the Committee on Agriculture in the House, and I have been in Washington during every succeeding session of Congress working to secure the necessary legislation.

From the beginning I have insisted that this is an economic, not a political, question, and opposed having farm relief become the football of partisan politics. The policy of the American Council of Agriculture, formed at the St. Paul mass meeting in July, 1924, after the defeat of the first McNary-Haugen bill in the House, was to support Members of Congress who had supported the measure and to oppose those who had voted against it, regardless of party. I was made president of this organization. It took no stand in the presidential campaign of that year, because the platform declarations on which the three candidates ran were all satisfactory.

That the campaign for farm relief has been conducted without regard to party lines is indicated by the vote which passed the McNary-Haugen bill in the Sixty-ninth Congress. In the House as well as in the Senate 57 per cent of the voting Democrats and 52 per cent of the voting Republicans supported the measure, while some of the leaders in each party opposed it.

Political significance was given to farm relief when President Coolidge, in plain disregard of his party platform, vetoed the measure to help restore agricultural equality which Congress had adopted after three years of study and debate. I am sure you will agree with me that this political aspect has not been due to any of the activities of the farm groups. Until the delivery of the veto message, in spite of the reports that were current in Washington, I clung to the hope that President Coolidge would approve the bill.

Farm legislation is one of the important tasks before the present Congress. I assure you that I would be most happy if all forces would join in passing an effective measure which addressed the problem adequately, thus removing the question from consideration in 1928. But I want to say most emphatically that I am not in favor of accepting any measure which does not embody the essential features necessary to permanent farm relief, nor do I minimize the importance of having an administration that is sympathetic with agriculture, and is courageous enough to work for its rehabilitation. But my primary effort, as I am sure the record I have briefly reviewed for you proves, has been and will be to secure legislation under which agriculture can organize and hold its own in our organized society.

On the question of presidential candidates, I do not believe my own attitude differs at all from that of the many leaders of organized agriculture with whom I come in contact. In either party the best man for agriculture who has a chance to secure the nomination should have the farm support, and when it comes to a choice between party candidates the same rule should apply, regardless of party labels. While I do not flatter myself that my personal preference is of public importance, I am glad to assure you that the principles I have stated in this paragraph are the ones that will determine my own choice in 1928.

I am inclosing an article from the Illinois edition of the Bureau Farmer of the current month, which is a reprint of a paper presented by me last August before the general conference of the Institute of Politics at Williamstown, Mass., on the subject of the "Political aspects of the farm question."

If you are interested in discussing this subject further with me, particularly with regard to my personal views and appraisal of candidates that are prominently mentioned for the Presidency, I shall be glad to meet you at any time for that purpose.

Assuring you of my high esteem and best wishes, I am

Yours sincerely,

GEORGE N. PEEK.

Mr. WHEELER. Mr. President, on yesterday it was charged on the floor of the Senate that the pending bill was in the interest of certain Republican candidates for the Presidency. I wish to say about that that I am not at all interested as to whether or not the bill is in the interest of any candidate, but frankly I do not believe that it is.

In the first place, I do not think it makes any difference who those on the other side of the Chamber nominate for President in the coming campaign, because I think he will unquestionably be defeated; but I am rather afraid that an impression may have been created from the argument that took place that the support of the McNary-Haugen bill was mainly limited to a number of individuals with no connection with farm organizations or with cooperatives in the United States. I am sure that is not correct.

Something was said about Chester Davis, whom he represented, and what his interest in agriculture had been. I explained that to some extent on yesterday, but I wish to say further that my information is that Mr. Davis since he left Montana has been representing farm organizations in the Middle West; that they have created what they call an agricultural service,

and that Mr. Davis represents that agricultural service here in the city of Washington.

An impression was left as a result of the Senate debate yesterday afternoon that the support of the McNary-Haugen bill in Washington is mainly represented by a limited number of individuals with no connection with the farm organizations and cooperatives of the United States. This is not correct.

Over a year ago a number of the farm organizations and cooperative associations established an agricultural service to work for the adoption of the principles embodied in the McNary-Haugen bill. Chester C. Davis is in charge of the Washington and Chicago offices of this agricultural service. It is directed by the committee for agricultural service, of which Dr. B. W. Kilgore, chairman of the legislative committee of the American Cotton Growers Exchange, is the treasurer. The organizations which are represented in this agricultural service and which are contributing to its support are—

Central States Soft Wheat Growers Association.
Mississippi Staple Cotton Growers Cooperative.
Missouri Farmers Association.
Burley Tobacco Growers.
Indiana Farm Bureau Federation.
Executive Committee of Twenty-two.
North Carolina Cotton Growers Cooperative.
Arizona Pima Cotton Growers Cooperative.
Arkansas Cotton Growers Association.
Texas Farm Bureau Cotton Association.
Evansville Producers Association, Indiana.
Mississippi Farm Bureau Cotton Association.
Tennessee Cotton Growers Association.
Illinois Agricultural Association.

These organizations, through their agricultural service, are cooperating with other National and State farm organizations in seeking this legislation. The American Farm Bureau Federation has indorsed and worked for this legislation for several years. Its president, S. H. Thompson, and its Washington representative, Chester H. Gray, are in Washington actively working for this legislation at the present time.

The Farmers' Educational and Cooperative Union of America, known as the National Farmers' Union, specifically indorsed this legislation at its last national convention in Des Moines, Iowa, last November. Many other organizations of the farmers not directly represented by either of national farm organizations or agricultural service have indorsed and are supporting this legislation.

The North Central States Agricultural Conference, of whose Executive Committee of Twenty-two George N. Peek is the chairman, is an organization largely representing the business interests of the North Central States whose program is to support the farm organizations in their drive for agricultural equality.

Mr. Frank Murphy, the other gentleman who was mentioned, is chairman of the legislative committee of the Corn Belt Federation of Farm Organizations, which is composed of the farm organizations, the names of which organizations I ask may be inserted in the RECORD as part of my remarks without reading.

The VICE PRESIDENT. Without objection, it is so ordered. The list referred to is as follows:

The Missouri Farm Association, the National Producers' Alliance, the Iowa Farmers' Union, the Iowa Farm Bureau, the Iowa State Grange, the Iowa Threshermen's Association, the Ottumwa Iowa Dairy Marketing Association, the Nebraska Farmers' Union, the Kansas Farmers' Union, the Kansas Farm Bureau, the Minnesota Farmers' Union, the Minnesota Farm Bureau, the Minnesota Wheat Growers, the South Dakota Producers' Alliance, the South Dakota Wheat Growers' Association, the South Dakota Farmers' Union, the North Dakota Farmers' Union, the North Dakota Wheat Growers' Association, the Oklahoma Farmers' Union, the Indiana Farm Bureau, the Central States Soft Wheat Growers' Association, the Chicago Milk Producers' Association, the Illinois Farmers' Union, the Wisconsin Cooperative Creamery Association, the Wisconsin Farm Bureau, the Equity Cooperative Exchange, the Farmers' Union Terminal Association, the South St. Paul Farmers' Union Livestock Commission House, the Chicago Farmers' Union Livestock Commission House, the Sioux City Farmers' Union Livestock Commission House, the Kansas City Farmers' Union Livestock Commission House, the Omaha Farmers' Union Livestock Commission House, the American Council of Agriculture, the Minnesota Council of Agriculture, the Montana Farmers' Union, and the National Corn Growers' Association.

Mr. WHEELER. Mr. President, I do not intend to take up more of the time of the Senate, except to say that I am heartily in favor of the bill because of the fact that I feel that after the organized farmers of the United States have come here to Washington, and have had their economists and

lawyers prepare this bill, and it has been thrashed out, we at least ought to give it a trial. Everybody in the United States, every business organization, every banker, knows that the agricultural situation in the Middle West and in the West is very bad. They know what suffering the farmers have undergone throughout the country during the last few years—in fact, since the deflation period—and nobody has offered any particular remedy excepting this one, which the farmers have presented to this Congress.

It has been suggested that certain portions of the measure are unconstitutional. I am not entirely satisfied that some parts of it may not be unconstitutional, but I am perfectly willing to let the question be submitted to the courts and to let the Supreme Court of the United States pass upon the constitutional questions involved. I sincerely hope and trust that the measure will pass.

Mr. COPELAND obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. I yield.

Mr. McKELLAR. I desire to ask unanimous consent to have printed in the RECORD my revised amendment in reference to the appointment of the advisory council, and right underneath it the revised amendment of the Senator from Arkansas [Mr. CARAWAY] to the amendment, so that the Senate may have the two amendments before it.

The VICE PRESIDENT. Without objection, it is so ordered. The amendments referred to are as follows:

[By Mr. McKELLAR]

On page 5 strike out line 17 and down through the period in line 1 on page 6 and insert in lieu thereof the following:

"SEC. 4. (a) Whenever the board determines that any agricultural commodity may thereafter require stabilization by the board through marketing agreements authorized by this act, or whenever the cooperative associations or other organizations representative of the producers of the commodity shall apply to the board for the creation and appointment of the advisory council for such commodity, then the board shall notify the President of such determination or application. The President shall thereupon create an advisory council for the commodity. The advisory council shall be composed of seven members, to be appointed by the President, by and with the advice and consent of the Senate. No individual shall be eligible for appointment to a commodity advisory council unless he resides in the region in which the commodity is principally grown, and is a producer of the commodity or interested in the production or marketing of such commodity. Prior to the making of any appointment to a commodity advisory council the board shall transmit to the President for his consideration lists of individuals qualified for appointment, to be submitted to the board by cooperative associations or other organizations representative of the producers of the commodity. The term of office of a member of any commodity advisory council shall be two years. In the event of a vacancy occurring, the President shall fill such vacancy in the same manner as the originally appointed member, and, should Congress not be in session, such appointee shall hold office until 20 days after the convening of the next session of Congress."

[McKellar amendment for section 4 (a) as proposed to be amended by Caraway amendment]

SEC. 4. (a) Whenever the board determines that any agricultural commodity may thereafter require stabilization by the board through marketing agreements authorized by this act, or whenever the cooperative associations or other organizations representative of the producers of the commodity shall so decide, the board shall create and appoint an advisory council for such commodity. The advisory council shall be composed of seven members, to be appointed by the board from a list submitted to the board by cooperative associations or other organizations representative of the producers of the commodity. In the event of a vacancy occurring, the board shall fill such vacancy in the same manner as the original appointment.

The power to remove a member of the advisory council rests with the board, but may be exercised only with the consent of the cooperative association or other organizations representative of the producers of the commodity for which he was appointed.

Mr. COPELAND. Mr. President, yesterday we had some discussion about fresh fruits and vegetables. The day before I had offered an amendment which was adopted by the Senate, and yesterday the Senator from West Virginia had that action set aside, and the Senate adopted another amendment which excluded fruits and vegetables from the application of the equalization fee and marketing agreements. I said nothing in opposition yesterday because I wanted to know how the fresh fruit and vegetable producers and marketers might feel about that amendment. I find that there is perfect unanimity in opposition to the amendment which was adopted yesterday; and my purpose in rising at this moment is to suggest a modifica-

tion of the amendment proposed by the Senator from West Virginia. His amendment is as follows:

The provisions of this bill relative to marketing agreements and equalization fees shall not be construed to apply to fresh fruits or vegetables.

I ask that that be amended to read:

The provisions of this bill shall not be construed to apply to fresh fruits or vegetables.

I am suggesting this amendment—

Mr. BORAH. I could not hear the last statement of the Senator as to the amendment which he offers.

Mr. COPELAND. I am asking that the language which we decided upon yesterday be changed.

Mr. BORAH. To what extent?

Mr. COPELAND. So as to omit the reference to marketing agreements and equalization fees, and to read as follows:

The provisions of this bill shall not be construed to apply to fresh fruits or vegetables.

That will exclude its application to potatoes from the State of Idaho and to fresh fruits and vegetables from every other portion of the country.

The VICE PRESIDENT. The Chair will suggest that the amendment intended to be proposed by the Senator from New York will require unanimous consent. A motion to reconsider the previous amendment has been made and carried and that amendment has been amended. Under the rule only one motion to reconsider may be entertained.

Mr. COPELAND. I sought to avoid the parliamentary situation by not asking for a reconsideration, but to ask that the amendment which is now a part of the bill before the Senate as in Committee of the Whole shall be modified by omitting certain language which was adopted yesterday.

The VICE PRESIDENT. The amendment will still be open to amendment when the bill reaches the Senate.

Mr. COPELAND. I realize that.

The VICE PRESIDENT. If unanimous consent is now refused the Senator to offer the amendment, it may be offered in the Senate.

Mr. DILL. Mr. President, it seems to me that unanimous consent should be granted. Some of us are very much interested in the question of fruits and vegetables as related to this bill. Had it been known that it was to be discussed here yesterday I would have been here to discuss it, but it was adopted after a very brief discussion.

I think we should return to it by unanimous consent in order that the whole matter may be discussed.

The VICE PRESIDENT. Is there objection?

Mr. NEELY. Mr. President, unanimous consent can not now be obtained to undo what was done yesterday.

Mr. DILL. The Senator from West Virginia should not take that attitude. He ought to be fair in this matter. I am sure he does not want to do anybody an injustice. The boxed-apple industry in the Northwest is of tremendous importance, and those engaged in it are as much interested in the proposed legislation as is anybody else.

The VICE PRESIDENT. The bill will be open to amendment when it comes out of the Committee of the Whole into the Senate.

Mr. GLASS. Mr. President—

Mr. COPELAND. I yield to the Senator from Virginia.

Mr. GLASS. I simply desire to say that I did not object to the amendment offered by the Senator from West Virginia for the reason that I supposed it was the identical amendment notice of which had been given by the Senator from New York. Within the hour I have had a telegram from the Governor of Virginia, who is perhaps the greatest orchardist in the United States, protesting very vigorously against the amendment as adopted, and urging that the amendment suggested by the Senator from New York be agreed to. If it may not be done by unanimous consent, it certainly should be done when the bill gets into the Senate.

Mr. BRUCE. Mr. President, if I may interrupt the Senator for just a moment—

Mr. COPELAND. I yield to the Senator from Maryland.

Mr. BRUCE. I should like to say that I, too, have received to-day quite a number of letters protesting against that amendment.

Mr. SWANSON. Mr. President, if the Senator will yield—

Mr. COPELAND. I yield to the Senator from Virginia.

Mr. SWANSON. I understand, from the telegrams and information I have received, that the apple people of Virginia desire to be excluded entirely from the operations of this bill.

Mr. DILL. I want to say to the Senator, if I may, that the apple industry of the West wants to be excluded; and I hope

the Senator from West Virginia will permit the matter to be discussed here. Of course, it can be taken up later.

Mr. SWANSON. I suppose the apple and fruit industry of West Virginia is also large. I do not know to what extent the Senator from West Virginia is desirous of having this bill operative on the fruit industry and apple industry of West Virginia. As I understand, the apple and fruit industry of Virginia desires to be exonerated and completely eliminated from the bill. I hope the Senator will consent to unanimous consent being granted for that to be done at this time.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. COPELAND. I yield to the Senator from West Virginia. Mr. NEELY. Permit me to say to both of the Senators from Virginia that the apple growers and vegetable raisers of West Virginia at first objected to being included in this bill because they did not want to bear the expense of providing storage facilities for their perishable and nonstorable products. But upon investigation I learned that many of the fruit growers and vegetable raisers desired to obtain the benefits of the bill provided they could be relieved of the burdens of the equalization fees and the exactions of the marketing agreements. By adopting my amendment yesterday the Senate accomplished just what I had been informed that my apple-growing constituency desired.

If the amendment is stricken from the bill, every fruit grower and vegetable raiser in the country will thereby be excluded from every benefit provided by the pending measure.

Mr. COPELAND. Mr. President, if I am barred by the parliamentary situation from any action at this time, I give notice that in the Senate I shall renew this motion.

Mr. NEELY. Mr. President, I withdraw my objection to the Senator's unanimous-consent request in order that this matter may be finally settled before the Senate adjourns for the day.

Mr. COPELAND. I think that is very generous on the part of the Senator from West Virginia.

I ask unanimous consent that the vote by which the amendment of the Senator from West Virginia was adopted on yesterday be reconsidered.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was adopted will be reconsidered. The question is on agreeing to the amendment.

Mr. COPELAND. Now, Mr. President, I ask that the language be changed, and that at the proper place in the bill this language be inserted:

The provisions of this bill shall not be construed to apply to fresh fruits or vegetables.

Mr. SHORTRIDGE. Mr. President, will the Senator kindly read the language of the bill to us again?

Mr. COPELAND. I am proposing to amend the bill by adding in the general definitions on page 26 the following:

As used in this act, the words "agricultural commodity" mean an agricultural commodity which is not a fruit or a vegetable.

Mr. McNARY. Mr. President, that is practically the same form in which the Senator offered the amendment a few days ago; is it not?

Mr. COPELAND. Yes, sir; the same form.

Mr. McNARY. It takes fruits and vegetables entirely without the operation of any of the provisions of the bill?

Mr. COPELAND. That is correct.

Mr. FLETCHER. Mr. President, I should like to inquire of the Senator from New York why he would not be willing to enjoy some of the benefits of this bill, if his people applied for them and petitioned for them, without being compelled to put up the taxes or being bound by the marketing agreements? In other words, the amendment of the Senator from West Virginia apparently provides that the bill shall not apply to fruits and vegetables with respect to the equalization fee and with respect to the marketing provisions of the bill; and that leaves it open to them, if they want to get the benefits of the bill—for instance, loans under the bill—to apply for them. What harm can that bring to the fruit and vegetable growers?

Mr. COPELAND. In the first place, it would not be fair to the other people. In the next place, the fruit and vegetable people are in an entirely different position from the ordinary farmer. The orchards and the gardens are entirely different; and these persons who produce fruits and vegetables have had no education in this matter and are not interested in it. They have not thought about it. It means new market arrangements.

Mr. GLASS. Mr. President, if the Senator will permit me, the fruit growers of Virginia have, and for a long time have had, their own organization. They have their own cold-storage plants. They have their own marketing facilities. They are perfectly independent of anything of this sort. They do not

want their business interfered with by the Federal Government in any way, shape, or form. As the Senator from New York has so aptly said, they are not willing to occupy the humiliating position of undertaking to avail themselves of any advantages of legislation without accepting the responsibilities, and they want neither.

Mr. COPELAND. Mr. President, I venture to say that by to-morrow the Senator from Florida will have a sheaf of telegrams from his State. The reason why I had so many to-day was because yesterday, when this action was taken, in order that I might test out the sentiment of the raisers of fruits and vegetables, I wired each one of these persons who protested against the bill, and I had a reply from every single one saying, "We do not want to be associated with this bill in any way whatever. We are opposed to it lock, stock, and barrel."

That is the sentiment expressed in the telegrams which I have received. In view of their unwillingness to be included, they ought not to be included. In the next place, we have perishable products to deal with, entirely different from the products of the farm, the grains, and the cotton from the South. They are not products that can be dealt with in the same way; and I am quite satisfied that we ought not to impose upon them any responsibilities or obligations under this bill.

Mr. DILL. Mr. President, I have had not only telegrams but a great many letters from the apple growers of the State of Washington; and these letters are not representative merely of one or two individuals but they represent large numbers, hundreds and hundreds of growers, and they insist that they want the apple industry to have no connection whatever with this marketing system. They have built up their own marketing system. They have built up their own plan of storing their fruits. The boxed-apple industry is in a stable condition, and we do not want the apple business of the Northwest in any way handled by any board or under legislation of this kind.

I hope the amendment of the Senator from New York will be agreed to.

Mr. NEELY. Mr. President, were the telegrams that the Senator from New York received in protest against my amendment from fruit growers who would be benefited by it or from certain commission merchants who are believed to be hostile to the entire bill?

Mr. DILL. Mr. President, let me say to the Senator from West Virginia that about two weeks ago I received telegrams from fruit growers' organizations in my State asking me to have the McNary-Haugen bill amended so that it would not include apples. Then I received one telegram urging that they be left in the bill. I wired back to both, those who had wired me for fruit being included and those who had wired against it, and said, "I wish you would give me reasons for your demand."

I later received letters written after meetings of apple growers had been held, and they are unanimous in their demand that the apple industry shall not be included under the terms of this bill, whether the equalization fee applies or whether it does not. They have their own marketing organization. They have their own system of handling fruit. They do not want any Federal board interfering with the handling of fruit and vegetables in the Northwest.

Mr. NEELY. Mr. President, let me again warn those whose constituents grow fruit and raise vegetables that by voting for the pending amendment they will aid in depriving their people of benefits of great value.

The VICE PRESIDENT. In the opinion of the Chair, the amendment of the Senator from West Virginia is now before the Senate. If that is voted down, then the amendment of the Senator from New York will be voted upon.

Mr. COPELAND. My motion was really to reconsider the vote by which we adopted the Senator's amendment. Now I am moving to amend that amendment. Would that be proper now?

Mr. FLETCHER. The Senate has reconsidered the vote by which the amendment of the Senator from West Virginia was adopted.

The VICE PRESIDENT. The question comes up on reconsideration of the Neely amendment.

Mr. FLETCHER. Now the Senator from New York wishes to amend that amendment.

Mr. CURTIS. Mr. President, as I understood the situation, the amendment of the Senator from New York [Mr. COPELAND] had been agreed to. Then the Senator from West Virginia moved to reconsider, and that motion was agreed to; and then the Senator from West Virginia substituted his amendment for the amendment that had been adopted, offered by the Senator from New York.

Mr. NEELY. That is exactly right.

Mr. CURTIS. That is as I understand the situation.

Mr. McNARY. Mr. President, that is absolutely correct.

Mr. DILL. Mr. President, the amendment offered by the Senator from New York is an amendment to the amendment offered by the Senator from West Virginia. After the reconsideration of the vote by which the amendment offered by the Senator from West Virginia was agreed to, the Senator from New York moved to strike out certain words from the amendment, and the question now is on agreeing to the amendment to the amendment. The amendment offered by the Senator from West Virginia was as follows:

The provisions of this bill relative to marketing agreements and equalization fees shall not be construed to apply to fresh fruits and vegetables.

The vote by which that amendment was agreed to was reconsidered. Then the Senator from New York moved to strike out the words "relative to marketing agreements and equalization fees," so that it would read:

That the provisions of this bill shall not be construed to apply to fresh fruits and vegetables.

That is the situation.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New York [Mr. COPELAND] to the amendment offered by the Senator from West Virginia [Mr. NEELY].

On a division, the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SHORTRIDGE. I ask unanimous consent that there may be a reprint of the bill showing the amendments already agreed to.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until noon to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 55 minutes p. m.) took a recess until to-morrow, Thursday, April 12, 1928, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 11 (legislative day of April 9), 1928

MEMBER OF UNITED STATES TARIFF COMMISSION

Frank Clark.

POSTMASTERS

CALIFORNIA

Thomas J. Wylie, Cedarville.

James Gillies, Napa.

Horald K. Rankin, Ocean Beach.

Anna McMichael, San Juan Bautista.

GEORGIA

Augustus C. Kennemore, Cumming.

Charles W. Barnes, Valdosta.

MISSOURI

Edward C. DeField, East Prairie.

John E. Klumpp, Rich Hill.

Oley S. Cardwell, St. Clair.

Dorothy M. Ritter, Wellington.

PENNSYLVANIA

Clarence E. Roseberry, Clearfield.

Luther J. Lukehart, Du Bois.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 11, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

This day is for us, our Heavenly Father. What shall we give it? So often we make this life of ours vague, difficult, and mysterious. We ask Thee to quicken every pulse in us to aspire that we may justly claim the glorious right to live. Help us to guard its hours as valued treasures and give to it a good name, which is above every other gift. It is not just

what we do that constitutes the best benefactions to our fellow citizens, but what we are. Pour into our lives Thy Holy Spirit and bless us with the deepest calm and courage. If sorrow is our portion, may we keep the faith; if temptation is beckoning, may we keep the faith; if the skies are forbidding and the pathway is hard, may we keep the faith; when all truth seems dead or lost, O may we keep the faith. When the evening comes and we look back across the hours between dawn and dark, bless us with this satisfaction, because of some good word or work the world is better that I have lived to-day. In the blessed name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments a bill of the House of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 8926. An act granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River at or near Garland City, Ark.

SENATE BILLS REFERRED

Bills of the following titles were taken from the Speaker's table and, under the rule, referred to the appropriate committees, as follows:

S. 1476. An act for the relief of Porter Bros. & Biffle and certain other citizens; to the Committee on Claims.

S. 1731. An act to provide for the further development of vocational education in the several States and Territories; to the Committee on Education.

S. 1736. An act for the relief of Charles Caudwell; to the Committee on War Claims.

S. 1956. An act for the relief of Levi R. Whitted;

S. 1970. An act for the relief of Karim Joseph Mery; and

S. 2524. An act for the relief of Josephine Doxey; to the Committee on Claims.

S. 2535. An act granting to the State of New Mexico certain lands for reimbursement of the counties of Grant, Luna, Hidalgo, and Santa Fe for interest paid on railroad-aid bonds, and for the payment of the principal of railroad-aid bonds issued by the town of Silver City, and to reimburse said town for interest paid on said bonds, and for other purposes; to the Committee on the Public Lands.

S. 2711. An act for the relief of Walter W. Johnston; to the Committee on Claims.

S. 3117. An act for the relief of the State of Connecticut; to the Committee on the Judiciary.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

OAKLAND HARBOR, CALIF.

The Clerk called the committees; and when the Committee on Rivers and Harbors was reached—

Mr. DEMPSEY. Mr. Speaker, I call up House Joint Resolution 244, authorizing a modification of the adopted project for Oakland Harbor, Calif., and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read the House joint resolution, as follows:

House Joint Resolution 244

Resolved, etc., That the project adopted in the river and harbor act of January 21, 1927, for the improvement of Oakland Harbor, Calif., is hereby so modified as to eliminate the requirement that local interests "shall alter or replace the bridges over the tidal canal, when, in the opinion of the Secretary of War, such alteration or replacement is necessary in the interest of navigation, and thereafter operate and maintain them."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the project adopted in the river and harbor act approved June 21, 1927, for the improvement of Oakland Harbor, Calif., is hereby so modified as to provide that the requirement 'that local interests shall alter or replace the bridges over the tidal canal when, in the opinion of the Secretary of War, such alteration or replacement is necessary in the interests of navigation, and thereafter operate and maintain them,' shall apply only to that feature of the project covering the deepening of the tidal canal to 25 feet."

The committee amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DEMPSEY, a motion to reconsider the vote whereby the joint resolution was agreed to was laid on the table.

UPPER MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE

Mr. HAUGEN. Mr. Speaker, I call up H. J. Res. 200 to amend section 10 of the act entitled "An act to establish the Upper Mississippi River Wild Life and Fish Refuge," approved June 7, 1924.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry. Was the Committee on Merchant Marine and Fisheries called, or does the Committee on Agriculture have another day prior to the Committee on Merchant Marine and Fisheries?

The SPEAKER. As the Chair recollects, the situation is this: The Committee on Agriculture having had one day was not prepared on the following day and the understanding was reached in the House that that committee be passed over without prejudice, and that it might occupy the next Calendar Wednesday. The agreement is not entirely clear in the RECORD, but the Chair thinks that was the understanding of the House.

Mr. CRAMTON. The understanding is, then, that they are entitled to call before the Committee on Merchant Marine and Fisheries?

The SPEAKER. The Chair thinks that that was the understanding.

Mr. CRAMTON. I have no idea of pressing to the contrary, but the situation is somewhat confused; and I think it rather stresses the desirability of hereafter taking committees in their order.

The SPEAKER. The Chair thinks that it was clearly the understanding in the House that the Committee on Agriculture did not lose its right to be called again before the entire list had been gone through.

Mr. CRAMTON. I am not objecting to that. The only question was whether they should get their day before the Committee on Merchant Marine and Fisheries was called.

The SPEAKER. The gentleman from Iowa calls up House Joint Resolution 200. This resolution is on the Union Calendar.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Iowa asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

Mr. BLANTON. Reserving the right to object, this is its second calendar day the Committee on Agriculture is consuming, its last day, for it will not have another before we adjourn. Is not the gentleman going to bring up some kind of a farm relief measure?

Mr. HAUGEN. We will bring that up later.

Mr. BLANTON. Under a rule?

Mr. HAUGEN. Yes.

Mr. BLANTON. When will it be—next week?

Mr. HAUGEN. We will have to see the Committee on Rules about that.

Mr. BLANTON. This bill that the gentleman now calls up is on the Union Calendar. Is this the bill that we have had up here before known as the Hawes bill creating a hunting monopoly for a few rich sportsmen?

Mr. HAUGEN. No.

Mr. BLANTON. Does it embrace game and fish—is it the game refuge bill? This is not the one that we have killed two or three times?

Mr. KINCHELOE. No; this is to establish a game and fish refuge upon the upper Mississippi River; it is not to regulate the taking of game and fish.

Mr. BLANTON. This does not in any way affect the farm boys who want to shoulder an old musket in Kentucky or Texas?

Mr. KINCHELOE. No. I know the bill that the gentleman has in mind. It is not that bill at all.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, there are no copies of this resolution available at this time, and I reserve the right to object so that the gentleman from Iowa may make a statement and tell us what the joint resolution is about.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the joint resolution, as follows:

Resolved, etc., That section 10 of the act entitled "An act to establish the Upper Mississippi River Wild Life and Fish Refuge," approved June 7, 1924 (43 Stat. L., 650), as amended by joint resolution of March 4, 1925 (43 Stat. L. 1354), be, and the same is hereby amended by substituting in lieu of the proviso therein contained the following: "Provided, That the Secretary of Agriculture shall not pay for any land or land and water a price, which, when added to the price of

land or land and water theretofore contracted to be purchased, shall exceed an average cost of \$10 per acre."

With the following committee amendment:

Page 2, line 3, after the word "acre," insert a colon and the words: "Provided further, That this provision shall not apply to any land or land and water heretofore acquired or contracted for under the provisions of this act."

The SPEAKER. Is there objection to the request of the gentleman from Iowa that this joint resolution be considered in the House as in Committee of the Whole?

Mr. LINTHICUM. Mr. Speaker, I reserve the right to object. I should like to know more about the resolution.

Mr. ANDRESEN. Mr. Speaker, this resolution provides for acquiring certain lands in the Winneshke bottoms in the Mississippi River. Some time ago—I think it was in the Sixty-eighth Congress—the Upper Mississippi River Wild Life Refuge was established, and Congress fixed an average price of \$5 an acre which could be paid for that land. The department has acquired all of the land that it can acquire at an average price of \$5 per acre, the swamp land, the pasture land, and the woodland in this refuge. It is a preserve for migratory birds, for fish, and game animals. The department can not acquire the rest of that land in that section at the price now fixed by law, and they have asked to have the average price raised to \$10 an acre.

Mr. LINTHICUM. How many acres is it proposed to put in this game preserve?

Mr. BLANTON. Mr. Speaker, this seems to be an important resolution. We can not get the facts about it at this time, and in order to give us a little time in which to acquire them, I make the point of order that there is no quorum present.

Mr. ANDRESEN. This is a very minor bill.

Mr. BLANTON. Mr. Speaker, it involves about \$500,000, and I make the point of order that there is no quorum present. That will give us time to look into the matter.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not.

Mr. MAPES. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 66]

| | | | |
|----------------|--------------------|---------------|----------------|
| Anthony | Curry | Kearns | Reid, Ill. |
| Bacon | Darrow | Kendall | Robinson, Iowa |
| Bankhead | Davenport | Kent | Robson, Ky. |
| Beck, Pa. | Denison | Kindred | Sabath |
| Beedy | Dickinson, Iowa | Kunz | Sears, Nebr. |
| Beers | Dickstein | Kurtz | Shreve |
| Bell | Douglas, Ariz. | Larsen | Snell |
| Boies | Doyle | Letts | Spearing |
| Britten | Drane | Lozier | Sproul, Ill. |
| Browne | Estep | McDuffie | Strother |
| Buckbee | Fenn | McFadden | Sullivan |
| Burdick | Fisher | Magrady | Tatzenhorst |
| Burton | Fitzgerald, Roy G. | Menges | Taylor, Tenn. |
| Butler | Gilbert | Michaelson | Thompson |
| Campbell | Golder | Mooney | Tillman |
| Carley | Goldsborough | Moore, N. J. | Updike |
| Celler | Graham | Morgan | Whitehead |
| Chase | Griffin | Nelson, Wis. | Williams, Ill. |
| Christopherson | Hardy | Niedringhaus | Williamson |
| Clancy | Harrison | Oliver, N. Y. | Wingo |
| Cole, Iowa | Houston | Palmer | Wurzbach |
| Cole, Md. | Hull, Morton D. | Peavey | Wyant |
| Connally, Tex. | Igoe | Peery | Yates |
| Connolly, Pa. | Irwin | Porter | Yon |
| Crisp | Johnson, Ill. | Quayle | |
| Crowther | Johnson, S. Dak. | Rathbone | |

The SPEAKER. Three hundred and thirty Members have answered to their names, a quorum.

Mr. MAPES. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

LOAN OF AERONAUTICAL EQUIPMENT TO MUSEUMS

Mr. MORIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1822) to authorize the Secretary of War to transfer or loan aeronautical equipment to museums and educational institutions, with a House amendment, insist on the House amendment, and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill S. 1822, with a House amendment thereto, insist on the House amendment, and agree to a conference.

The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. GARNER of Texas. Mr. Speaker, I am informed by the gentleman from Pennsylvania [Mr. MORIN] that this is agreeable to the ranking Democrat on the committee.

Mr. MORIN. That is correct.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. JAMES, Mr. WAINWRIGHT, and Mr. GARRETT of Texas.

THE LATE REPRESENTATIVE JAMES A. GALLIVAN

Mr. CONNERY. Mr. Speaker, I ask unanimous consent for the present consideration of the following order, which I send to the desk and ask to have read.

The Clerk read as follows:

Ordered, That Sunday, the 29th day of April, at 2 o'clock p. m., be set apart for addresses on the life, character, and public services of Hon. JAMES A. GALLIVAN, late a Representative from the State of Massachusetts.

The SPEAKER. Is there objection to the present consideration of the order?

There was no objection.

The SPEAKER. The question is on agreeing to the order.

The order was agreed to.

WORLD ROAD MEET

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an article from the Washington Evening Star of April 8, 1928, entitled "Washington gets world road meet."

The SPEAKER. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article from the Evening Star, of Washington, entitled "Washington gets world road meet":

WASHINGTON GETS WORLD ROAD MEET—SIXTH CONFERENCE IN 1930 WILL MARK FIRST SUCH GATHERING IN WEST

At the invitation of the United States Government, the leading highway engineers, economists, and administrators of the world will meet in Washington in 1930 to attend the Sixth International Association of Road Congresses.

Fifty nations and five continents are expected to send hundreds of delegates to the meeting, which will be historic in that it will mark the first time the International Road Conference has assembled in the Western Hemisphere.

The resolution authorizing the invitation was signed by President Coolidge last week, having passed the Senate and the House of Representatives under the able leadership of Senator LAWRENCE C. PHIPPS, of Colorado, and Representative J. CHARLES LINTHICUM, of Maryland. Senator PHIPPS, as a member of the Senate Committee on Post Offices and Post Roads, sponsored the measure in the Upper Chamber, while Representative LINTHICUM, of the Committee on Foreign Affairs, introduced the measure before the House and followed it through committee hearings. The formal invitation will be transmitted by Secretary of State Kellogg, by direction of President Coolidge, to the Permanent International Association of Road Congresses, which is the official name of the association.

TRIBUTE FROM OLD WORLD

The association had previously voted to accept the invitation if extended.

The willingness of the association officials to bring the sixth conference to the United States is held to be significant. It is recognition on the part of the Old World, with its background of centuries of highway building and highway transport, of the new order of achievement of the New World in the mass production and methods of administration of highway construction and maintenance. While highway engineering on the continent antedates the highway programs of the United States by thousands of years, the utility, science, and economic benefits of highway transportation have reached their highest fruition in this country, and it is the desire to observe these results, it is believed, that prompted the engineers of continental Europe and Asia to accept the invitation of the United States.

ONLY OFFICIAL WORLD MEET

At the fifth international conference at Milan in 1926 the delegates from the United States tentatively advanced the project of bringing the next conference to the United States. Their overtures were met with the most cordial reception. Secretary of Agriculture Jardine, in whose department is the Bureau of Public Roads, addressed the conference by letter, expressing the hope that it would prove possible for the United

States to extend and the conference to accept an invitation for the next meeting to be held in Washington. The delegates from the United States at the Milan conference were Thomas H. MacDonald, Chief of the Bureau of Public Roads and chairman of the Highway Education Board; Pyke Johnson, executive director of the Pan American Federation for Highway Education; H. H. Rice, treasurer of the National Automobile Chamber of Commerce; J. N. Mackall, chairman of the State Roads Commission for Maryland; Paul D. Sargent, State highway engineer for Maine; and H. H. Kelly, European commercial attaché from the Department of Commerce.

The International Association of Road Congresses is the only worldwide official organization of highway authorities. It was organized in Paris in 1908, and congresses have since been held in Brussels in 1910, in London in 1913, in Seville in 1923, and in Milan in 1926. The sessions projected for the years during the World War were postponed.

The conference membership is comprised of 45 countries, including the United States of America; 458 collective bodies and nearly 1,500 private members, of whom more than one-third are life members. The last conference, at Milan, the first to which the United States sent an official delegation was attended by representatives from 52 nations, and the official and nonofficial delegates numbered in excess of 2,000.

The actual number of official delegates is limited to 15 from each nation.

MISSISSIPPI RIVER WILD-LIFE REFUGE

The SPEAKER. Is there objection to the request of the gentleman from Iowa that House Joint Resolution 200, to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge," approved June 7, 1924, be considered in the House as in Committee of the Whole?

Mr. BLANTON. Mr. Speaker, I object. That is a matter that ought to go to the committee.

The SPEAKER. This joint resolution is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution, and the gentleman from Michigan, Mr. CRAMTON, will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 200, with Mr. CRAMTON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 200, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 200) to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge," approved June 7, 1924.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. BLANTON. The distinguished gentleman from Michigan [Mr. CRAMTON], from the other side of the aisle, was to help us to get a proper amendment on this bill. I notice he has been removed from the floor and now is in the chair. Will that prevent him from having that salutary amendment placed on the bill, now that he has been removed from the fighting arena, where we need him?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the resolution.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the resolution be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDRESEN] is recognized for one hour.

Mr. ANDRESEN. Mr. Chairman and gentlemen of the committee, in the first place this resolution is not a resolution to charge any license fee for hunting migratory birds, such as was proposed in the Anthony Act. In the year 1924 legislation was approved by Congress establishing a wild life refuge in the upper Mississippi River. The law provided that the average price of not to exceed \$5 an acre can be paid for the land acquired in the refuge. The Agricultural Department has now purchased over 16,000 acres at the average price of \$5 an acre, and they find that on account of the increase in value of the land they can acquire no more land under the average price of \$5 an acre, and consequently they come to Congress for additional authority to pay as much as \$10 an acre as the average price. I ask to have read a letter from the department outlining the situation.

The CHAIRMAN. Without objection, the Clerk will read the letter referred to.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., March 10, 1928.

Hon. GILBERT N. HAUGEN,

Chairman Committee on Agriculture,
House of Representatives.

DEAR Mr. HAUGEN: I have your letter of February 28, inclosing for consideration and comment a copy of the resolution (H. J. Res. 200) introduced by Mr. ANDRESEN, "To amend section 10 of the act entitled 'An act to establish the upper Mississippi River wild life and fish refuge,' approved June 7, 1924."

The resolution provides for increasing the average price from \$5 to \$10 per acre which may be paid by the department for lands purchased for the refuge.

A total of 70,543.31 acres is now under administration as a part of the refuge, of which 24,963.44 acres are public lands, 1,052.25 acres acquired by gift or cession, and 4,967.26 acres held under lease, leaving a balance of 39,560.36 acres which have been purchased or are held under contract of purchase. The actual purchases to date total 16,867.88 acres at a total land cost of \$82,288.13. The land cost of the areas already acquired and those under contract for purchase is within the provision of the existing law as amended in 1925, which limits the average price to \$5 per acre.

It has become evident that the average value of the land to be purchased was underestimated. The acquisition work has now proceeded to a point where it is extremely difficult to make additions by purchase without exceeding the average cost of \$5 per acre. The lands suitable for refuge purposes that remain to be purchased have now been carefully examined and their values estimated by experts of the department engaged on the work who have had wide experience in that field. The factors considered in arriving at these estimates include the standing timber on the areas, their value for pasturage or the production on suitable areas of muskrats and other valuable fur-bearing animals, and the prevailing prices at which comparable areas in the vicinity have been sold in recent years. By these methods of appraisal it is found that these lands have a commercial value exceeding the \$5 per acre average price allowed to be paid under existing law.

From present indications approximately 85,000 acres of suitable refuge lands remain to be acquired for completion of the project. If the proposed amendment is adopted, the department is of the opinion that it will not be necessary to ask for funds, in addition to those already authorized, for the acquisition of the desired areas to be included in the refuge. The balance of the authorized appropriation will, it is believed, be ample to provide for the purchase of the required lands at the higher average rate.

As the acquisition of land for the refuge will come to a standstill unless the proposed amendment is enacted, I sincerely trust that it will meet with the approval of your committee and be placed before Congress for enactment at the earliest possible date.

A request by this department to the chairman of the Senate Committee on Agriculture and Forestry for the introduction of a similar resolution in the Senate has been submitted to the Bureau of the Budget pursuant to Circular 49 of that bureau, and under date of March 2, 1928, the Department of Agriculture was advised as follows:

"In reply I have to advise you that your proposed letter and the draft of legislation which you propose to submit therewith would not be in conflict with the financial program of the President.

"I would suggest, however, that the insertion of the words 'purchased or' after the word 'theretofore' in the last sentence of the draft might clarify the language."

The amendment suggested by the Bureau of the Budget is satisfactory to the department.

Sincerely,

W. M. JARDINE, Secretary.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. GREEN. What State or States is this land in?

Mr. ANDRESEN. This land is in the Winnesheke bottom. It starts south of Wabasha, Minn., and extends down the Mississippi River and affects the States of Minnesota, Wisconsin, Illinois, and Iowa.

Mr. GREEN. Does the gentleman think the land has doubled in value in four years?

Mr. ANDRESEN. The land has not doubled in value within the last four years. The original estimate put upon the land was approximately \$5 an acre, an average price; but they find that in acquiring the land that there are 41,000 acres of timberland having on it several million feet of valuable timber, and they will have to pay more for that. It is hard to get good timberland with virgin timber on it at \$5 an acre. If they can pay \$10 as an average price, they will be able to pay as much as \$15 an acre for some of the land and \$5 for the rest of it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN. I was answering a question.

Mr. BLANTON. I thought the gentleman was through.

Mr. ANDRESEN. By raising the average price it will give the department a chance to go in and buy the more valuable land needed in this refuge. They will be able to pay \$5 or \$3 for some of it and \$12 or \$15 for other parts. The average price of \$10 will be maintained.

Mr. BLANTON. When the original bill was before Congress it was stated on the floor that much of this land was waste land, swamp land, and flowed-over land, and it would not cost much, and that on the average it would cost \$5 an acre. The bill was passed on that assumption and on that assurance. This is an effort to double the price from \$5 to \$10.

Mr. ANDRESEN. I was not here when the original bill was passed.

Mr. BLANTON. Has the gentleman in view the amendment that was to be offered by the gentleman from Michigan [Mr. Cramton]?

Mr. ANDRESEN. I accept that.

Mr. BLANTON. That amendment will be offered by the gentleman from Michigan [Mr. Mapes]?

Mr. ANDRESEN. Yes. I will accept it.

Mr. MAPES. I have an amendment here which will give the information desired.

The CHAIRMAN. Without objection, the Clerk will read for information the proposed amendment.

The Clerk read as follows:

Amendment proposed by Mr. MAPES: Page 2, line 1, after the word "switch," strike out the remainder of the line and line 2 to and including the word "purchased."

Mr. LA GUARDIA. I do not get that.

Mr. ANDRESEN. I will explain the purpose of the amendment. I thought I had provided for it in the last proviso to the bill. The amendment provides that the land that has already been acquired by the Government at the average price of \$5 an acre shall not be taken into consideration when the new average price of \$10 an acre is authorized. If they could include the land purchased before at \$5 an acre, it would give them a further leeway of paying as high perhaps as \$20 or more for other land. But the land to be acquired under the \$10 provision is land to be acquired from now on after the passage of the act.

Mr. LA GUARDIA. Suppose the Government should condemn this land. What would be the appraised value?

Mr. ANDRESEN. I can explain the nature of the land. There are 41,220 acres of timber of varying value from perhaps \$3 to \$25 an acre. There are 6,000 acres of grazing land having an average value of \$10.14 an acre. The timberland that I just mentioned has an average value of \$14.82 an acre. The hay land has an average value of \$12.66 an acre. The marshland has an average value of \$2.39 an acre; the brush land has an average value of \$3.11 an acre; and the lake bed or the marshland adjoining the shore has an average value of \$2 an acre.

Mr. LA GUARDIA. Will it average about \$10 an acre?

Mr. ANDRESEN. They feel that if they have the authority to average the land at \$10 an acre, they will be able to get the entire \$5,000 acres called for in the project.

Mr. LA GUARDIA. Of course, all of this land is contiguous.

Mr. ANDRESEN. It is nearly so.

Mr. LA GUARDIA. Will the gentleman tell me this, which is more important, perhaps, than a few dollars of additional cost: Is this going to be a bird sanctuary or a bird slaughterhouse?

Mr. ANDRESEN. This is to be a permanent sanctuary for migratory birds, fish, and other game animals.

Mr. LA GUARDIA. Is hunting permitted on these lands?

Mr. ANDRESEN. Hunting is not permitted?

Mr. LA GUARDIA. That is correct, is it?

Mr. ANDRESEN. Hunting is not permitted.

Mr. LA GUARDIA. In the last Congress and in the Congress before that we were presented with an alleged game refuge bill, a bill which it was alleged provided a sanctuary for birds, when, as a matter of fact, hunting was permitted. I can not imagine of anything that is more paradoxical or more inconsistent than to have a sanctuary for birds and a refuge for game and at the same time permit hunting. May we be sure that on this particular ground there will be no hunting permitted?

Mr. ANDRESEN. There is no hunting, trapping, or fishing permitted on these lands.

Mr. CLARKE. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. CLARKE. Is it not also a fact that through the overflow here it is the place from which we get our supplies of bass that are distributed all over the United States?

Mr. ANDRESEN. That is absolutely correct.

Mr. DICKINSON of Missouri. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. DICKINSON of Missouri. I would like to inquire if the gentleman has any information as to whether the lands desired to be purchased under the terms of the bill are now owned by the original owners or whether they have been acquired by speculators and the price raised by those who have acquired the lands for an increased price?

Mr. ANDRESEN. I do not have the information but I have personal knowledge of some of the land that is in my State, Minnesota, along the Mississippi River, and I will say that these are small tracts which make up parts of larger farms off from the banks of the Mississippi River, and as to most of the land along the Minnesota border the fee-simple title is in the name of the men who owned the land before the project was authorized.

Mr. DICKINSON of Missouri. Has the price gone up by reason of the purchases made under the terms of this bill?

Mr. ANDRESEN. I do not think it has. The department has adopted this policy, that if they can not buy the land at a fair price, then they wait until the man is ready to sell. A great deal of this land—all of the land, in fact—is subject to taxation.

Mr. DICKINSON of Missouri. As far as the gentleman's information goes most of the land is owned by the original owners, but a part of it may have been acquired by speculators for the purpose of getting an increased price.

Mr. ANDRESEN. That is the best information I have; but I do not see how any speculators could hope to make a great amount of money at the price of \$5 or \$10 an acre.

Mr. LA GUARDIA. If the gentleman will permit, in answer to the gentleman from Missouri, this is the practice, and I think it is universal: That where it is known a municipality, a State, or a government is going to acquire land, then speculators get it on an option, so that the title of record remains in the original owners and the option is all they have to sell. That is a practice which is universal.

Mr. DICKINSON of Missouri. The press is carrying an item of news to the effect that lands in the bottoms along the Mississippi River are being acquired by speculators, and I thought perhaps these lands were being acquired by those who expect to get an increased price for them.

Mr. ANDRESEN. I have no knowledge of that fact.

Mr. SHALLENBERGER. Will the gentlemen yield?

Mr. ANDRESEN. Yes.

Mr. SHALLENBERGER. I would like to suggest to the gentleman that the price of \$5 or \$10 an acre is a very low price for land along this river. It must be land that is absolutely worthless for any sort of agricultural purposes, because agricultural lands in that valley are about as high in price as we can find anywhere in the country, so that this price must not be a speculator's price but a very conservative price for land in that valley.

Mr. ANDRESEN. And the department itself is not trying to secure agricultural lands.

Mr. FURLOW. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. FURLOW. Is it not true that had an estimate been made of this land at the time the bill was originally enacted, the average price then undoubtedly would have been put at \$10 an acre; but the estimates were made, so far as this particular land that it is now intended to acquire is concerned, after the passage of the act; is not that true?

Mr. ANDRESEN. That is absolutely correct. No survey was made and no effort was made to secure options on the land at a certain price before the passage of the act.

Mr. FURLOW. If the gentleman will yield further, part of this land is in my district, and I know the land and I think I can assure the gentleman from Missouri, who asked about the speculative end of it, that I know of no land that has been bought in Mississippi that was bought for speculative purposes. The idea out there is the conservation of the wild life, and the people out there, especially the sportsmen and the people of the State generally, are vitally interested in seeing this land maintained as a game refuge and as a game refuge solely.

Mr. ANDRESEN. I will say further in that connection that in the State of Minnesota interested municipalities and Izaak Walton League clubs and sportsmen's clubs have donated over 8,000 acres to be included in the refuge, without any cost to the Federal Government.

Mr. WELSH of Pennsylvania. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. WELSH of Pennsylvania. Is it the gentleman's opinion that unless this amendment of the original act is enacted, the purpose of the original act of 1924 will not be effective?

Mr. ANDRESEN. Absolutely.

Mr. WELSH of Pennsylvania. The gentleman is willing to make that statement for the purpose of the Record?

Mr. ANDRESEN. Yes. The department will not be able to go ahead with the project and it will mean they will have to stop buying land and will have little scattering patches all along the Mississippi River.

Mr. ROMJUE. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. ROMJUE. In what counties does this land lie in Minnesota, the gentleman's own State?

Mr. ANDRESEN. It does not touch my district. It starts at Wabasha, Minn., which is in Wabasha County, and goes down as far as Rockford, Ill.

Mr. ROMJUE. How far is the beginning of the tract below the Canadian line?

Mr. ANDRESEN. About 300 miles.

Mr. ROMJUE. I thought it was a little farther north than that.

Mr. EDWARDS. Will the gentleman yield?

Mr. ANDRESEN. I yield to the gentleman.

Mr. EDWARDS. I note in the report that there are 70,543 acres now being administered as a part of the refuge, of which 24,963 are public lands. Does the Government own these public lands?

Mr. ANDRESEN. Those lands are the property of municipalities and the Government and are included in the refuge.

Mr. EDWARDS. How much of it is Federal Government land?

Mr. ANDRESEN. I could not give the gentleman that figure.

Mr. EDWARDS. They actually have now 70,543 acres with which they are carrying on this work; is that right?

Mr. ANDRESEN. No; the total project is some 82,402 acres.

Mr. EDWARDS. Just how many more acres do you propose under this bill to buy up?

Mr. ANDRESEN. The actual purchase by the department up to date is 16,867 acres.

Mr. EDWARDS. Then the Government owns, evidently, 24,963 acres which is called public land?

Mr. ANDRESEN. That is owned by the Government and by municipalities—school lands.

Mr. EDWARDS. What is the total acreage estimated to be necessary for this reservation?

Mr. ANDRESEN. The total estimate is 82,402 acres, which is to be purchased.

Mr. EDWARDS. This bill says "land and water"; how much water is being purchased under this bill?

Mr. ANDRESEN. If the gentleman has ever been in the Mississippi River bottoms he is, of course, quite aware of the fact that there are a lot of sloughs with land around these sloughs, little pockets, probably for several miles contiguous to the main channel of the Mississippi River on each side.

Mr. KNUTSON. Will the gentleman yield right there?

Mr. ANDRESEN. Yes.

Mr. KNUTSON. That is what makes this land so valuable for the purpose for which the Government wishes to acquire it. It is the greatest small-mouth black-bass spawning ground in the world.

Mr. EDWARDS. I do not know that they would beat the Georgia bass.

Mr. KNUTSON. They are a different variety altogether.

Mr. EDWARDS. What I am trying to get through my mind is why we should buy up water in the Mississippi River to raise fish when we have more water in the Mississippi River than we know what to do with.

Mr. KNUTSON. It is not water at all—these spawning grounds.

Mr. ROMJUE. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. ROMJUE. It seems to me the second proviso in the bill is contradictory of the first proviso. The first proviso states, "That the Secretary of Agriculture shall not pay for any land or land and water a price, which, when added to the price of land or land and water theretofore contracted to be purchased, shall exceed an average cost of \$10 per acre." That is, they may pay \$10 an acre in addition to the land that has previously been contracted for.

Mr. ANDRESEN. That was the original intention of the department.

Mr. ROMJUE. The bill contains that as the first proviso, and then in the second proviso it is stated:

Provided, That this provision shall not apply to any land or land and water heretofore acquired or contracted for under the provisions of this act.

Does not this nullify the first provision of the bill? It seems to me it does.

Mr. ANDRESEN. The purpose of the committee amendment was to place the department in a position where they could not consider land already purchased and paid for. I think the amendment offered by the gentleman from Michigan [Mr. MAPES] will straighten out that situation.

Mr. ROMJUE. I had not heard that amendment.

Mr. ANDRESEN. I will say further, that the act of 1924 authorized the appropriation of \$1,500,000 for the Mississippi River project. Of this amount, around \$500,000 has been used. The rest of the land to be acquired under an average price of \$10 an acre will not need extra authorization from Congress in order to acquire the land, because sufficient money has already been authorized to acquire all of the land necessary in the project. So this amendment to the act calls for no extra authorization of money from the United States Treasury.

Mr. ABERNETHY. Will the gentleman yield?

Mr. ANDRESEN. I will.

Mr. ABERNETHY. How is this refuge going to be operated—under what department?

Mr. ANDRESEN. It is operated under the Department of Agriculture.

Mr. ABERNETHY. Why the Department of Agriculture instead of the Department of Fisheries?

Mr. ANDRESEN. It is partly under the Bureau of Fisheries.

Mr. ABERNETHY. And the Bureau of Fisheries is under the Commerce Department?

Mr. ANDRESEN. The Bureau of Fisheries has jurisdiction over the fish and the Department of Agriculture has jurisdiction over the migratory birds.

Mr. ABERNETHY. Is this the same bill introduced by Mr. Hawes, of Missouri?

Mr. ANDRESEN. I have no knowledge about that.

Mr. ABERNETHY. All you want to do is to increase the price from \$5 an acre to \$10 an acre, and what is to hinder the speculators getting hold of it and running it up to \$15 an acre?

Mr. ANDRESEN. If they do, I think they will have to hold the land, because I do not think the department would come back for authority to further increase the price.

Mr. ABERNETHY. Is the department sure that it can acquire the land at that price?

Mr. ANDRESEN. The department feels satisfied that they can acquire the lands at not exceeding \$10 an acre.

Mr. ABERNETHY. I presume it is not necessary to ask if all the delegation of Minnesota is in favor of the bill?

Mr. ANDRESEN. I have not polled the delegation, but I presume they are.

Mr. ABERNETHY. What States are interested in this matter?

Mr. ANDRESEN. Minnesota, Wisconsin, Iowa, Illinois, and, in fact, every State in the Mississippi Valley, because of the migratory birds that will have a refuge and resting place here. This will be a feeding ground.

Mr. FULBRIGHT. Will the gentleman yield?

Mr. ANDRESEN. I will.

Mr. FULBRIGHT. What is the difference between the land that has not been acquired and the land that has already been acquired at \$5 an acre?

Mr. ANDRESEN. The difference is mostly in the timberland, where there is valuable tracts of timber, virgin timber in some cases and cordwood in other places, where it was impossible to get it at an average price of \$5 an acre.

Mr. FULBRIGHT. Was the average price of the land to be acquired more than the land already acquired?

Mr. ANDRESEN. Absolutely.

Mr. FULBRIGHT. It has not increased the price since the project was started?

Mr. ANDRESEN. No; I think the land has decreased or remained about the same.

Mr. FULBRIGHT. I was wondering whether gentlemen in favor of this program will be as enthusiastic in favor of flood control when that matter comes up?

Mr. ANDRESEN. No question about it; we live in the Mississippi Valley.

Mr. EDWARDS. Mr. Chairman, I ask to be recognized. I am opposed to the bill.

The CHAIRMAN. If no one on the committee claims recognition in opposition to the bill, the Chair will recognize the gentleman from Georgia.

Mr. EDWARDS. How much time do I have?

The CHAIRMAN. One hour.

Mr. EDWARDS. Mr. Chairman and gentlemen, I do not think the House understands this proposition. This is not the kind of a proposition for the Congress to approve. Look at the report and you will find that there are 16,867 acres which have already been bought under the act of June 7, 1924, for \$82,288. You will find in the same connection with that there are 1,052 acres as a gift, which make 17,919 acres. The public lands are given as 24,963 acres, which make a total acreage of 42,882 acres. This bill provides for land and water.

Now, how much more land and water do they want on which to raise migratory ducks and fish than 42,882 acres? They have 42,882 acres, and now they come in and ask for 85,000 more acres of land, at \$10 an acre, which will be \$850,000 more out of the Treasury of the United States.

Mr. CLARKE. Will the gentleman yield?

Mr. EDWARDS. I yield.

Mr. CLARKE. It is not a question of how much more land we want, but how much more land those who have given thought to the entire project want. The Department of Agriculture, chambers of commerce of Wisconsin and Missouri, all along the line, have been in conference and they are all back of this project. And they say they need this land, set forth in the report, and the people all over the United States will get the benefit of it. The picture you have is an immature picture while their picture is a perfect one.

Mr. EDWARDS. The picture I have in mind is not immature. I have known about fish all my life and I am familiar with migratory birds and wild life as contemplated in this bill. This proposition is not right. We are told that it is not in keeping with the condition of the Treasury and the policy of the present administration to have over \$75,000,000 a year for the next two years for public highways, but here it is proposed to expend practically \$1,000,000, to be dumped down in those sloughs and gulches, in the purchase of those worthless lands and waters up there which are evidently no good for anything else than to raise fish and wild game on. It is proposed to spend practically a million dollars for this in one lump sum.

Mr. ANDRESEN. As I stated in my statement, this does not take any more money out of the United States Treasury than is already authorized by law.

Mr. EDWARDS. Oh, I think the gentleman is mistaken in that. I am sure he is because if it did not take more money, you would not be here asking to be permitted to expend \$5 an acre more than was established as a fair price in the first act, which became a law in 1924.

Mr. ANDRESEN. The project requires the purchase of 85,000 acres of land, roughly speaking; and if the average price is \$10 an acre, that will mean \$850,000. The Congress has already passed appropriation bills amounting to \$500,000.

Mr. EDWARDS. For this purpose?

Mr. ANDRESEN. Yes.

Mr. EDWARDS. Without any authorization?

Mr. ANDRESEN. Oh, the authorization was approved in 1924. That will make a total of \$1,350,000, or \$100,000 less than the authorization in the act of 1924.

Mr. McMILLAN. But if that money has been appropriated and is not expended, it will go back into the Treasury of the United States.

Mr. ANDRESEN. The money has been authorized.

Mr. McMILLAN. If it is not expended for that purpose, my understanding is that it will go back to the Treasury of the United States.

Mr. EDWARDS. The gentleman from South Carolina is correct in that, as he usually is.

Mr. KNUTSON. Has the gentleman from Georgia ever been up in that section of the country?

Mr. EDWARDS. No.

Mr. KNUTSON. We would like to have the gentleman come up there and see us some time.

Mr. EDWARDS. I would be very glad to.

Mr. McMILLAN. We have plenty of places in my section of the country for game preserves. I have a letter on my desk now submitting an offer of 30,000 acres of land for \$3.50 an acre, and it is reputed to be one of the greatest game refuges in the country.

Mr. KNUTSON. We ought to work together on these propositions.

Mr. EDWARDS. We ought to work together when the proposition is right, but this proposition is not the right kind of legislation. We ought not to take the people's money out of the Treasury and put into those lands.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. GREEN. We usually work together when the appropriations are going the other way, but when we want something

for reclamation in our section of the country we work separately and we get nothing.

Mr. EDWARDS. I do not agree with the gentleman on that altogether. They have already had what I believe to be a sufficient sum of money to operate a fish or game preserve and refuge.

Mr. ABERNETHY. Does it not occur to the gentleman that a great many wild duck and geese come to our section of the country in the wintertime and that they use these places for resting places?

Mr. EDWARDS. I want to tell the gentleman something else that has occurred to me; they come down there and the Federal laws are generally in conflict with our State laws to such an extent we can not shoot and enjoy them.

Mr. ABERNETHY. The thing that appeals to me particularly is the idea of a game refuge. We need something of that kind. I believe it is a great move in the right direction. I think if we stand with these gentlemen on this, that when we need something of a similar nature in our section of the country we will get it. We have got to do something to take care of our game.

Mr. EDWARDS. I agree with the gentleman. We ought to have game refuges, but we ought to have a well worked out plan whereby they would be established throughout the country. You set up one in this section of the country, and if you have no refuge anywhere else the thing is a failure, and it has proven to be a failure so far. Very little actual good has resulted so far.

Mr. COCHRAN of Missouri. The gentleman knows very well that if you had a refuge in the South at a certain time of year the game would be in the North. This is where they go to breed and they return to the South in the winter.

Mr. GREEN. Right along that line I would like to say to the gentleman, showing where appropriations go, that last year my State sent over \$46,000,000 in Federal taxes to the Federal Treasury.

Mr. KNUTSON. Is that all?

Mr. GREEN. And my district, a fourth of the State, contributed eleven and a half million. I think I have been 12 times to the Post Office Department and the Treasury Department begging them to give me \$80,000 or \$100,000 out of the \$265,000,000 that we appropriated for public buildings and I have not yet the assurance that we are going to get that public building.

Mr. EDWARDS. The gentleman from Florida usually gets what he goes after and I am surprised that he has not gotten it.

Mr. FURLOW. The gentleman from Georgia states that he is in favor of these game refuges?

Mr. EDWARDS. If they are worked out well, through an organized system, and if they do not cost too much.

Mr. FURLOW. Here we have a scheme that was worked out in 1924, and we have been acquiring this land since the passage of this act.

Mr. EDWARDS. Only in this one place.

Mr. FURLOW. We have acquired land here and there within this area. Now, we are going to defeat the entire purpose of this program if within this area we leave unpurchased a spot here and another spot there. For example, if a man has 160 acres and there is an adjoining 160 acres that can not be acquired, that will prevent the refuge from being successful.

Mr. EDWARDS. I think we should either delay this legislation or defeat it, and then work out a program whereby we can establish game refuges all over the country where needed. If you establish this one up in that region, the Canadians will get more benefit from it than will the people of the United States.

Mr. MOREHEAD. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. MOREHEAD. There is no evidence here that the land is owned by private corporations. There would be no way of keeping them out if there were any there, and they would have hunting privileges there. I am very much opposed to allowing hunting on any sanctuary or game preserve. I have been up in that country and I know the section thoroughly. I go up there fishing. I think the price here is exorbitant.

Mr. EDWARDS. I, too, think it is exorbitant.

Mr. MOREHEAD. I think if we take it over at all, we ought to have an option on the entire body of land, so that there will not be exorbitant prices charged to complete the purchase of the entire tract.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. MONTAGUE. This is called a game sanctuary?

Mr. EDWARDS. That is what it is termed.

Mr. MONTAGUE. Is hunting or fishing permitted in that sanctuary?

Mr. SHALLENBERGER. No. It is not permitted under the law.

Mr. KNUTSON. At no time. This is a closed reservation for wild life.

Mr. MONTAGUE. That is what I wished to ascertain, because we have been having bills—one is now pending in the Senate, I think—where, under the guise of sanctuaries, you are going to have hunting grounds and fishing grounds, places of slaughter for fish and game.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. Yes. I yield to the gentleman from Nebraska.

Mr. SHALLENBERGER. I want to point out to the gentleman from Georgia that the real purpose of the bill is to establish sanctuaries for wild game which his people in Georgia and our people in Nebraska like to shoot. In Minnesota that wild life will be preserved, so that we shall all get the benefit of it.

Mr. ADKINS. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. ADKINS. There is another bill pending, I think, coming up to-day, for another refuge and rest ground in Utah, and one in Kansas. The theory is that along the different lanes through which they pass from north to south or south to north they will have some place where they will not be shot at. It was proposed that the bills be amended so as to take from the Department of Agriculture the right of permitting hunting at any time.

Mr. EDWARDS. Does not the gentleman think we ought to have a general and well worked out program for these refuges instead of going into the subject piecemeal?

Mr. ADKINS. This refuge has already been started, and a good deal of money has been expended on it. This is to complete the program for that one at that place.

Mr. COCHRAN of Missouri. This report from the Department of Agriculture states that this amendment will not cost a dollar more, that the money they now have is sufficient, but that there is some valuable land that they can not get at \$5 an acre. This is not asking for more money, but simply to enable them to complete the project Congress authorized.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. McMILLAN. This is not a question as to the policy of establishing sanctuaries, but it is a bill, as I understand it, simply to authorize the payment of \$10 an acre which four years ago was authorized for \$5. This is not a question of policy as to whether we shall have a sanctuary here or elsewhere in the country. I think the gentleman from Georgia will agree that we ought to preserve wild life and game.

I am concerned about the fact that four years ago you could get this land for \$5 an acre, and now they are coming in here and asking for \$10. We have no assurance but that two or three years from now they will come in here again asking for \$20.

Mr. EDWARDS. I will say to the gentleman from South Carolina that the reason given here a few minutes ago as to why this additional amount is required is the fact that part of this land is valuable timberland. Now, the Government has no use for that timber, and ought not to buy it.

Mr. ADKINS. In a community where somebody has gone in and bought a farm surrounded by this land, the owner will be troubled by the fact that he will be crowded, and the average price ought to be raised here so that this additional land can be acquired.

Mr. EDWARDS. If you buy this timberland, poachers will come in and steal the timber and the Government will have only the land.

Mr. SCHAFER. Does not the gentleman think an amendment should be incorporated in the resolution which will prevent the purchase of any additional land until the Government has had options for all of it? Because if we can not buy all of that land and private individuals own small or large tracts of land within the reservation, you will really have private shooting grounds on those lands.

Mr. EDWARDS. We have not very much information in the report. We have a letter from the Secretary, but it is not very clear. What I get out of it is that we need 80,000 more acres at \$10 an acre.

The average price will be \$10 per acre, which means it will cost \$10, and it will cost the Government \$850,000.

Mr. KNUTSON. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. KNUTSON. The gentleman has stated several times that this legislation should be put over until a comprehensive

plan of game preservation could be worked out for the entire country. This plan originated with Senator HAWES, of Missouri, when he was a Member of the House.

Mr. EDWARDS. I think the original migratory plan originated with Mr. Weeks several years prior to that.

Mr. KNUTSON. I mean as far as acquiring land along the Mississippi is concerned. It is said to be the greatest spawning ground for small-mouth black bass there is known anywhere. It is a great place for them to stop in their migration north and south, so we must have all of this land or it will not serve the purpose as well as is necessary. The gentleman from Florida has referred to the fact that the North is getting everything. I want to say that in taking this land the Federal Government is taking the best bass-fishing grounds in the world away from us but we are perfectly willing that it shall be taken away if it be devoted to the purpose provided in the bill.

Mr. EDWARDS. I should think so at \$10 an acre.

Mr. KNUTSON. The gentleman must understand that adjacent to this land there is \$150 and \$200 land. The gentleman must not think that we are unloading a desert on the Government.

Mr. EDWARDS. No; because I understand it is mostly water instead of a desert.

Mr. KNUTSON. The gentleman has not been up there so it would be impossible to describe this territory to him.

Mr. BOX. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. BOX. Has the gentleman any information as to whether lands in the Mississippi Valley or farm lands over the country generally have doubled in value during the last four or five years?

Mr. EDWARDS. My information is lands have not increased in value. To the contrary, my information is that lands have decreased in value in that time. The thing which has attracted the attention of the opposition here to-day is the fact that only four years ago we were told this land could be bought for \$5 an acre, but now they want \$10. I want to tell you, my friends, the country is tired of this so-called economy, which is but waste and Republican extravagance.

Mr. ROMJUE. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. ROMJUE. The gentleman referred to the land that has already been purchased. Can he tell us the average price that was paid for that land per acre?

Mr. EDWARDS. It ran around \$5, as I understand it.

Mr. ANDRESEN. Five dollars is the average price.

Mr. HAUGEN. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. HAUGEN. At the time the bill was under consideration the committee had no estimate as to the value of this particular land and the \$5 per acre was largely a guess on the part of the committee. In order to safeguard the Treasury, it was provided that land should not be bought which exceeded an average of \$5 an acre. It has been stated that these are valuable timberlands.

Practically all of this land is overflowed land and has no value for agricultural purposes. However, there is some soft timber on the tract, and I believe the estimated value is said to be somewhere around \$15 an acre, and that it will be necessary to pay much more than \$5 an acre for a part of the tract. Therefore it is suggested that the purchase price be limited to \$10. Let me also state to the gentleman that in 1923 the Bureau of Fisheries at low water rescued one hundred and forty-eight million 3 to 6 inch fish and forty million 4 to 6 inch fish from this particular region. It is of value, especially when you consider the fact that these fish were shipped to stock the waters of 32 States of the Union.

Mr. EDWARDS. It is the inconsistency of the thing. I know there are some of us who want to expedite and speed up the program of highway construction in this country. We wanted to appropriate this year, many of us, \$100,000,000 a year for the next two years to expedite and speed up the highway construction in this country, but we are told in that connection that the financial policy of the administration will not permit over \$75,000,000 per year in that regard. We are told we must cut down here and cut down there on many important and constructive matters, and yet with this proposition you take out of the Treasury \$850,000, and we are told it is not contrary to the President's financial program.

Mr. HUDSON. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. HUDSON. Does not the gentleman understand, and will not the gentleman agree with me, that this is one of the first steps necessary in furnishing flood control on the Mississippi?

Mr. EDWARDS. I do not know whether or not it has any connection with it at all.

Mr. HUDSON. If we had taken the waste land along the Mississippi Valley and kept it as a game refuge we would not have the flood-control proposition thrust upon us at this time. This is one of the great resources which we ought to conserve in this matter of flood control.

Mr. EDWARDS. Then we ought to put it on as an amendment to the flood control bill that will carry more than \$400,000,000. I hope, my friends, we will consider this proposition carefully and thoroughly before we pass it. The price of that land has jumped since we first started the project from \$5 to \$10 per acre, and the reason given now is that a lot of this land is good timberland; but, as I stated a moment ago, the Government ought not to go into the timber business.

Mr. HAMMER. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. HAMMER. In the Weeks Forestry Act it was provided that the Government could not purchase timberland because the price would be prohibitive. The rule was to pay \$2.50, \$3, \$5, and \$7.50 being the limit.

That is the reason they now have a lot of land in the southern Appalachians. For instance, they acquired the Vanderbilt land of 70,000 acres at \$5 an acre, which was above the average price. The average was something like \$2 an acre, and it was in this way they acquired the large acreage of land in the southern Appalachian Mountains.

Mr. EDWARDS. I thank the gentleman for his remarks and for this information.

I do not want to be misunderstood. I am for sane conservation. The Government now has over 40,000 acres for this refuge, and this is enough to proceed on until we can work out a general program. The people are groaning under the taxes they have to pay now, and it seems we are not going to get any tax reduction at this session at the hands of the Republicans, who are in power.

Oh, we are told the country is prosperous; but do bread lines mean prosperity? If I am any judge of the situation, the country is practically ruined by this Republican prosperity. We are not prosperous enough at this time, my friends, when the country is asking for tax reduction, to go into buying up additional lands for game and fish preserves and refuges.

We have carried this wild-life and migratory-bird idea to an extreme, violated the Constitution in many instances, as we are likely to do in the passage of this pending measure, and caused a lot of confusion as to the laws and regulations, to say nothing of having spent a lot of money out of the Treasury for no real good purpose. The taxes of the people ought not to be wasted. It is through taxes and taxes alone that money is gotten into the Treasury. The expenditure of that money ought to be made in a wise, economic, and judicious manner. Ours is a grave responsibility. Every dollar that does not go for a real good governmental purpose is misspent, and I am not willing that it be done. In this case we were told in 1924 that all the lands necessary in connection with this proposition could be had for \$5 an acre, and a great lot of lands, amounting to forty-odd thousand acres, have actually been bought at \$5 an acre. Too much land has been bought in on this proposition as it is, and, in my opinion, enough lands are now in hand to carry on the work contemplated in this measure. Now we are told 85,000 more acres must be bought at an average price of \$10 per acre. This means, as I have said, an expenditure of an additional \$850,000 for lands upon which to enlarge this game and fish refuge.

I received a communication to-day from a constituent of mine, and, with the permission of the House, I am going to insert it in the RECORD as part of my remarks about other bills along this wild-life and migratory-bird idea, which is as follows:

SPECIAL ATTENTION—MEMBERS OF CONGRESS—SUBJECT: SENATE BILL 1271 AND HOUSE BILL 5467—DO YOU WANT MORE TAXATION ON THE FARMERS OF THE UNITED STATES?—DO YOU WANT MORE BUREAU GOVERNMENT IN WASHINGTON, D. C., WITH ITS LAWMARKING POWERS?—DO YOU WANT TO THROTTLE YOUR STATE GAME DEPARTMENTS AND COMMISSIONS?—BLIND-POOL JOKER IN MIGRATORY BIRD LAW

The blind pool refuge bill is again before Congress. It has a good chance of being passed. The bureau officials in Washington, allied with the professional protectionists of New York City, have succeeded in tacking it onto the migratory bird law. The latter is a meritorious piece of legislation. The joker they have attached to it strikes at the heart of self-government. It throttles the splendid State game commissions that have been built up in many States and are being developed in others.

The bureau chiefs in Washington and their adroit associates in New York are intent upon getting into their own hands the game funds of the country. They have enlisted the support of Senator NORBECK, from South Dakota, chairman of the Agricultural Committee. The bill, through his influence, has been sent to the Senate.

If this bill is passed it will confer lawmaking powers upon the clerks of the Biological Survey. It clearly provides that the rules and regulations which they may make should have the force of law. It confers police powers upon the Secretary of Agriculture and his employees—something that was not even remotely contemplated when his department was organized.

If this bill is passed it will deny the citizen the right of trial in his own community. It authorizes a petty Federal official to drag a reputable citizen hundreds of miles for trial before a Federal official located in another State. The bill authorizes Federal officials to arrange settlements without trial. This provision is an incentive to dishonesty. It encourages petty officials to practice petty annoyances upon sportsmen whom they may find afield.

If this bill is passed it will enable a group of men in Washington to remove hundreds of thousands of dollars from the State in which it was collected and disburse it when and where they will.

This bill, in practically the same form, was defeated in the Sixty-seventh, Sixty-eighth, and Sixty-ninth Congresses.

Mr. Mondell, the Republican floor leader, in denouncing the game refuge bill, said: "I believe the measure is so far-reaching in its consequences it would be so tremendously harmful in the long run to my country and to its people that I can not support it or any part of it."

Mr. GARRETT, the Democratic floor leader, said he was opposed to the legislation and asked, "How long do you think we can continue to yield to the blandishments, the propaganda, and the temptations of expediency in measures such as this?"

Judge Ward, the Congressman from North Carolina, scored the bill as the crowning infamy of them all.

Ex-Senator Wadsworth, of New York, in a recent address, said: "There has been built up at Washington a bureaucracy so vast and complicated that no one can understand the operations of the Government of the United States as it exists to-day. It is a bureaucracy which is not responsive to public sentiment. We are whittling at the structure established by the forefathers, and if we whittle long enough we shall destroy it."

Mr. Keith McCause, State game commissioner of Missouri, says: "It is all wrong for the double license to be inflicted upon the hunters of the United States in order to create a tremendous fund for use of bureaucracy. Do we want to create in Washington another powerful Federal bureau with its agents nosing into every nook of the land?"

If this bill becomes a law it will be because the sportsmen of this country and their representatives in Congress do not understand its far-reaching influence.—[Editorial from the Forest and Stream Magazine of March, 1928, issue. Founders of the Audubon Society and the migratory bird law.]

NOW READ THE FEW LINES BELOW

A vote for Senate bill 1271 or H. R. 5467 is a vote for more taxes on the farmers and poor hunters of the United States; more bureaucracy in Washington, D. C.; throttling of State game departments and commissions; and more destruction to migratory birds and wild life, not less.

A vote against the pending bills (S. 1271; H. R. 5467) is a vote for less taxes on the farmers and poor hunters of the United States; less bureaucracy in Washington, D. C.; more local State government; and less destruction to migratory birds and wild life in the United States.

Members of Congress, which do you prefer?

The question is up to you.

What will be your decision?

R. M. VARNEDOE,
Hinesville, Ga., Liberty County.

I reserve the balance of my time, Mr. Chairman.

Mr. PURNELL. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman and gentlemen of the committee, I have a great deal of respect for my friend the gentleman from Georgia [Mr. EDWARDS], but I think the position he has taken is not sound, with all due respect to him.

I want to call the attention of the committee to the fact that this bill we are now seeking to perfect is the creature of a very distinguished Democrat who is now a Senator from the State of Missouri, Mr. HAWES. [Applause.] I think it is one of the most constructive pieces of legislation we have embarked upon in many a day.

I come from a section of country that abounds in game, wild game of all sorts. I have practically 2,000 square miles of water in my district, and I had the pleasure of having the Secretary of Agriculture year before last come down to my district, and while there we showed him some real game shooting. I think Mr. Jardine is a man of integrity and I think he has a very broad view of this entire question.

This bill comes into the House with a unanimous report from the great Committee on Agriculture. I find myself in this situation: I think the bill is right because the game in the summer time is not in the South. The game is in our waters in the

wintertime and in the summer time in the northern waters, and this very refuge, as I understand, is to be a place where no man can shoot them or disturb them while they are resting there, and that fish may spawn and breed there, with no fishing allowed; is not that correct?

Mr. CLAGUE. That is correct.

Mr. ABERNETHY. I think that is one of the greatest things in favor of the bill. I think we need more of these refuges, and I have enough faith in the membership of the House to believe that if we aid them in putting this over and we have a meritorious proposition in our own section of the country they will come to our aid and relief. [Applause.] This is shown here every time we pass a rivers and harbors bill. At the last Congress they aided my section of the country and helped me vote \$6,000,000 for an inland waterway. Suppose you had taken the same position over there that my friend from Georgia has taken this afternoon. We would never have that aid and assistance in developing our section of the country. This is a great, big country and we have to work together.

Mr. EDWARDS. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. EDWARDS. The gentleman from Georgia has not taken the position he is against the bill because the game refuge is located where it is.

Mr. ABERNETHY. I do not understand that to be the position of the gentleman, but I do say if you defeat this measure on account of the price, you defeat the project. That is all there is to it. [Applause.] It is only a question of \$5 an acre, and this will not break the Government. I am willing to vote \$1,000,000 and put it into a beneficial proposition that is going to help the whole country.

Mr. SCHAFER. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. SCHAFER. If they are fearful they have not enough money, why not amend the Volstead Act and get a lot of additional revenue in that way?

Mr. ABERNETHY. Well, we are talking about water, not liquor. [Laughter and applause.]

Mr. SCHAFER. We are talking about "bottle bass."

Mr. ABERNETHY. I really think, gentleman, this is a very constructive piece of legislation, and I hope to see this movement spread over the entire country. We have to protect our game and fish. It will be so after a while that the wild game will be like the buffalo. There are none in this country at all now except a few herds in our parks. I remember, for instance, when I was a boy, there used to be clouds and clouds of wild pigeons going north and south. There is not a one in the country to-day. Where are they?

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. ANDRESEN. Mr. Chairman, I yield the gentleman two minutes more.

Mr. ABERNETHY. Gentlemen, I am in favor of economy, but this is constructive economy. This is a great conservation measure, and, as I say, it was the dream of our distinguished colleague, Senator HAWES, when he was a Member of the House, to put this through, and whether he put it through or whoever put it through, I think we ought to pass this bill. It has the unanimous report of the great Committee on Agriculture. There is no politics in it, but it is to protect and conserve our wild life and fish. With regard to the timber, we need the wooded land as well as the streams to protect the game, and we have the assurance of the Secretary of Agriculture that he can put this over if we will allow him this privilege, and surely he is not going ahead and waste the money. I think we ought to pass the bill. [Applause.]

Mr. KNUTSON. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. KNUTSON. There is nothing to the point raised by the gentleman from Texas [Mr. Box] that this land has doubled in value in the last three or four years. The chairman of the Committee on Agriculture has explained to the House fully that when the original bill was reported out the committee did not know what this land was going to cost, and they fixed the maximum at \$5 an acre. We have found that is not sufficient, and that it is now necessary to raise the maximum to \$10, but the land has not doubled in value.

Mr. ABERNETHY. It is not going to break the Government, anyway, and I am for the bill. [Applause.]

Mr. ANDRESEN. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, the original act creating this game refuge was enacted by the Congress, both Houses, by practically a unanimous vote. The Government did not know in advance the price of all the land and it was impossible or impracticable to secure an option on all the land in advance.

So as a restrictive measure the price was fixed at an average of \$5 an acre.

The Department of Agriculture now reports that it has investigated and has proceeded as far and as rapidly as possible and has secured all the lands available at \$5 an acre and has now returned to the Congress for authority to raise the average.

It is a very practicable and sensible proposition. It is the only thing that can be done. The Committee on Agriculture held hearings. There were a large number of witnesses and there were explanations in detail, and it was the unanimous vote of the committee that this is the only intelligent procedure unless we are now to abandon the whole project.

Mr. ALLGOOD. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. ALLGOOD. If we vote this \$10 an acre now, what assurance have we that these people will not come back here next session of Congress and ask for \$20 an acre?

Mr. ASWELL. It is not within the province of any gentleman on the floor of this House to give any other gentleman any assurance on any such proposition as that. In my own opinion, I am so convinced of the value of this, that for myself rather than to have the project defeated, I would vote for \$20 an acre. [Applause.]

Mr. KETCHAM. And the gentleman will recall the interesting hearings we had on the subject. Is it not a fact that the point of view which has been developed by the gentleman from Georgia [Mr. EDWARDS] was developed in the committee itself, and that we were satisfied, unanimously, that while we did not exactly approve of this increase, it is the only way in which this great project could go through.

Mr. ASWELL. All of the points brought out by the gentleman from Georgia were presented to the committee, and finally the committee agreed on the proposition.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. KNUTSON. The gentleman comes from the great Mississippi Valley.

Mr. ASWELL. And the lower part of it—the flooded area.

Mr. KNUTSON. From a very important part of it.

Mr. ASWELL. The richest part of it.

Mr. KNUTSON. Will the gentleman state to the House his observations as to the increase in wild life since these sanctuaries were established?

Mr. ASWELL. Many hundred per cent in my part of the country.

Mr. LAGUARDIA. And the gentleman's understanding of a sanctuary is the same as mine, that no hunting should be permitted in the sanctuary?

Mr. ASWELL. Absolutely.

Mr. LAGUARDIA. We agree on that.

Mr. ASWELL. Absolutely.

Mr. EDWARDS. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, there are several elements to which I object in this situation. It is true that the Agricultural Committee in their wisdom have unanimously recommended this resolution, but sometimes we have differed with their wisdom, and I do now for several reasons. In the first place, here are a lot of people who owned land that under the statute which was formerly enacted have parted with it at \$5 an acre. The fellows who did not want to part with it at that figure have stood out. We are not dealing justly with those people who have already sold when we come up now and say that we will give these other fellows \$10 an acre.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. ASWELL. That question was brought up in the committee, and it was clearly developed that the land that had been purchased at \$5 an acre was not to be compared at all with the other land it is now proposed to purchase, so far as value is concerned.

Mr. STEVENSON. That being true, if there is no comparison at all, how do you compare them by making one worth \$5 an acre and the other \$10 an acre. In other words, you paid a lot for something that was worthless, according to that position.

Mr. ASWELL. I did not say that it was worthless.

Mr. STEVENSON. It does not compare.

Mr. ASWELL. The gentleman did not quote my statement.

Mr. STEVENSON. The gentleman's statement is in the RECORD. I do not yield any further.

Mr. ASWELL. I did not make any such statement as the gentleman quoted.

Mr. STEVENSON. The gentleman's statement is in the RECORD, and I stand by it. The fact confronts us that we are now asked to pay twice as much for land, adjoining land, as we have bought at \$5 an acre. Whether there is any com-

parison between the two or not, I do not know. I see this calls for buying land and water. I want to know how much an acre they are paying for water up there. This report says that they already have 70,000 acres of sanctuary there now. Is that not enough to put into one city of refuge away up at the headwaters of the Mississippi, where the birds have to fly a thousand miles in order to get there? Nobody will be able to shoot them without traveling a thousand miles, except those who are locally around there. I think you have already purchased enough land when you have 70,000 acres in one preserve. This matter of acquiring land by the Government seems to have become a matter of very frequent occurrence. We are asked to buy land here and buy land there for this purpose and that purpose, and what is the result of it? The first thing we know, here we have already 70,000 acres withdrawn from taxation in the States where this land is located. You now propose to withdraw 85,000 acres more from taxation and from all local levies, and then Uncle Sam is expected to do something for that country, and they will always be claiming that they ought to have this and that because they have a great game preserve up there. The acquisition of land by the United States Government has gone on to such an extent that I have stopped voting to buy any more land anywhere. There is a lot of talk about putting one of these preserves down in the coast country of South Carolina. I have not seen any considerable movement in that direction as yet, but I would not be in favor of it if there was, because I want the lands in South Carolina, except those absolutely necessary for strictly Government purposes to be subject to the jurisdiction of the courts and the taxing officers of the State, and that is where all the lands ought to be. Having bought 70,000 acres at \$5 an acre, I am in favor of standing pat. You have practically 110 square miles of land. Is that not enough for the sparrows and the birds that roost up and down Pennsylvania Avenue here to the annoyance of the people with new hats? Have you not enough of a sanctuary for all that kind of thing, anyway?

Mr. ALLGOOD. I have heard considerable complaint from some of the Members from the northwestern part of the country about the Government owning so much public land up there.

Mr. STEVENSON. Yes; it has been a great cry, and they have been asking for unusual concessions as to public improvements because the Government has so much land that is not taxable.

I am opposed to taking any more away from these gentlemen in so far as taxation is concerned. That is the principle upon which I stand in regard to all these things. The Government has no business to take land except in case of national safety and national conservation—it has no business tying up land and taking it out from the jurisdiction of the taxing officer.

Mr. McMILLAN. What guaranty have we that they will not come here in the future and ask for authority to buy land at \$20 an acre?

Mr. STEVENSON. How many people have obligated themselves to sell land at \$10 an acre? If there was anything in evidence before the committee it is not stated in the report.

Mr. KETCHAM. I think the gentleman will find a statement of the Department of Agriculture in reference to that.

Mr. STEVENSON. That it has an option on land that it can buy at \$10 an acre?

Mr. KETCHAM. It is the judgment of the department based upon surveys actually made that no further authorization will be requested, that this authorization is made to cover all the land that they propose to take.

Mr. STEVENSON. How much land have they under option that they can buy at \$10 an acre?

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. VINSON of Kentucky. Can the gentleman inform the committee what the assessed valuation of this land is?

Mr. STEVENSON. No; I was not on the committee, and I doubt if anyone on the committee knows.

Mr. ANDRESEN. That is all in the record.

Mr. VINSON of Kentucky. The assessed valuation?

Mr. ANDRESEN. No; not the assessed valuation.

Mr. STEVENSON. I venture to say to the gentleman from Kentucky that if he will look into it he will find that the value of these lands are not over 50 cents an acre for taxation. [Applause.]

Mr. ANDRESEN. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. KINCHELOE].

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, sometimes it is amusing how you get down to dollars and cents whenever agriculture is at stake or any great con-

servation for the benefit of the people. This project in the upper Mississippi is a part of the conservation scheme for wild fowl and the breeding of fish that is trying to be worked out by the Agricultural Committee.

I do not care how many wild fowl you have that fly from the North to the South in the winter; you may have millions of them, but unless you have a rest and feeding grounds for these birds in transit it is only a question of time when you will have none.

Now, what is the program of the Agricultural Committee? The gentleman from Utah [Mr. COLTON] has a bill establishing a game preserve in Utah. The evidence before the committee shows that these birds go there by hundreds, and they are being killed by pot hunters all around with no protection over it. The gentleman from Kansas [Mr. HOPE] has another bill. The evidence shows that that is a great concentration place for ducks, where they go by the thousands.

In Tennessee is another concentration place, and there are other places in the Carolinas and down the Potomac River.

I believe the Federal Government ought to appropriate Federal money out of the Treasury and own these great concentration points, if you are going to protect the wild life of this country.

The gentleman from New York asked whether they were game refuges and to be sanctuaries. I will say that at my instance we put an amendment on the bill of the gentleman from Utah providing that 60 per cent of the area should always be a sanctuary and no gun ever fired in it. [Applause.] I would not vote for a bill that would leave it even to the discretion of the Secretary of Agriculture to establish these sanctuaries. I do not want to build up and maintain a place for the big hunters.

Mr. LA GUARDIA. The gentleman will recollect that the bill we had up at the last session was backed and financed by the gun and cartridge makers?

Mr. KINCHELOE. Yes; I voted against that.

Mr. MONTAGUE. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. MONTAGUE. What did I understand the gentleman to say about the 60 per cent sanctuary and 40 per cent hunting—that is not in this bill.

Mr. KINCHELOE. No; I was talking about the Utah bill.

Mr. MONTAGUE. Does the gentleman think that would conserve it? How would you make the separation?

Mr. KINCHELOE. The Biological Survey under the Department of Agriculture will have supervision over all that matter, and 40 per cent hunting would be only when so ordered by the Secretary of Agriculture and only at such times as he sees fit.

Mr. MONTAGUE. Will the gentleman permit me to ask him another question? I was a little troubled about this bill, as I have been such a stickler for sanctuaries, but not sanctuaries for hunters.

Mr. KINCHELOE. The gentleman from Virginia is no more of a stickler for fish and game sanctuaries than I am.

Mr. MONTAGUE. But now we come to the question of cost, and we read in the report from the Secretary that—

If the proposed amendment is adopted the department is of the opinion that it will not be necessary to ask for funds in addition to those already authorized for the acquisition of the desired areas to be included in the refuge.

Am I correct in my inference therefore that this requires no further sum of money than that heretofore authorized?

Mr. KINCHELOE. That is true.

Mr. STEVENSON. But it means that they can pay \$10 per acre for the land now, whereas under the law that we passed we were to pay \$5.

Mr. MONTAGUE. It means they shall not exceed \$10 an acre?

Mr. KINCHELOE. Yes. But suppose we had to pay \$10 an acre for all of it. The evidence before the Committee on Agriculture is that the area in the upper Mississippi is the greatest bass spawning ground in the world, where they get the bass with which to stock the streams of your State and my State and the State of South Carolina. The State of Minnesota has turned over 8,000 acres for this purpose, and someone in the State of Iowa, an individual, has turned over \$40,000 worth of land which he gave the Government. We passed an enabling act the other day to take it in. If it is necessary, I would be in favor of paying even \$100 an acre for the balance of this land in order to preserve the wild fowl and have spawning grounds for the black bass. I am not concerned about the cost so long as it is reasonable.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. ABERNETHY. Will the gentleman put into his remarks a statement as to the various areas donated for this purpose by various people?

Mr. KINCHELOE. The State of Minnesota donated 8,000 acres, and some one in the State of Iowa has donated \$40,000 worth of land. I do not think the Agricultural Department is going to run wild and crazy and go around and buy a lot of land for more than it is worth. The purpose is to acquire this great spawning and feeding and breeding ground in the upper Mississippi, and the purpose is to go out to Utah and to Kansas and into Reelfoot Lake, if desired, and into the gentleman's State of North Carolina and other States, and establish these game reserves.

Mr. ABERNETHY. I think the gentleman is right on that. Mr. KINCHELOE. There is nothing provincial or sectional about it. The purpose is to preserve the wild life of this country. You must have a place for them to feed and to rest, and if you have to take the money out of the Federal Treasury I am in favor of doing that.

Mr. MONTAGUE. I will say to the gentleman from North Carolina that the hunters are not going to North Carolina for a refuge, but they are going there in order to destroy and hunt.

Mr. KINCHELOE. I hope this bill will be passed so that this program can be started.

Mr. ABERNETHY. We want to conserve the wild life in North Carolina and in Virginia, and I presume this bill, as I understand it, is intended to conserve and not to destroy.

Mr. KINCHELOE. Yes. I think the gentleman from North Carolina will concede that he is the best Member of Congress from his district in North Carolina, and I am glad that he is in sympathy with this measure. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. ANDRESEN. Mr. Chairman, I yield two minutes to the gentleman from Maryland [Mr. LINTHICUM].

The CHAIRMAN. The gentleman from Maryland is recognized for two minutes.

Mr. LINTHICUM. I shall not be able to say anything worth while on this bill in two minutes.

Mr. EDWARDS. I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman from Maryland is recognized for seven minutes.

Mr. LINTHICUM. Mr. Chairman and gentlemen of the committee, it was my pleasure some years ago—in fact, soon after I came to Congress—to vote for the first bill for the purpose of protecting migratory birds. After that bill was passed by the House we entered into a treaty with Great Britain, and it was my pleasure to vote for the bill which carried out the provisions of the treaty for the protection of the wild fowl of this country. Since that time Maryland has become noted for its thousands of wild ducks, which had narrowly escaped being exterminated before the passage of that act. Birds of all kinds are replenishing our fields and forests. I do not think we can spend too much money for the protection of wild fowl and fish.

I once introduced a bill myself for the protection of migratory fish, and if that bill had passed I am sure we would have an abundance of fish in all parts of our country. I think we should establish game refuges wherever they are necessary. The Department of Agriculture knows where they should best be located. In your boyhood days and in mine we knew where the birds went, and where they stopped overnight, and such things as that. The Department of Agriculture knows where the game birds go.

It is not a question of what we ought to pay. We should procure these lands to protect the birds and the fish and other wild life. This would be a pretty lonely country for those of us who were born in the rural districts if we did not have any bird life. I heard one gentleman speak of the wild pigeons that were once so plentiful. I remember the time when we had thousands of those birds. I believe the last one died somewhere out in the West a few years ago in an aviary out in Cincinnati. Had those pigeons have had the protection we are giving wild life to-day they would still be plentiful. The dearth of wild life destroys the equilibrium of nature's laws, and permits those destroying insects and pests to prey upon the crops and cause heavy loss of production to the farmers.

The birds are the farmer's great friend in the destruction of his enemies. They are man's great friend in their feathery beauty and sweet songs. Like the flowers and trees which adorn the landscape and beautify nature, so do the birds in their happiness and beauty glorify the country and add to the pleasures of life.

I want to see this bill passed. I trust that the gentlemen who are carrying out this proposition will endeavor to procure options on all the land contained within these boundaries, because if certain land is left within the boundaries of the land

purchased it will be impossible to carry out the idea which we have in mind. I am sure the Agricultural Department will have this in mind.

I want to see the bill pass. Unless I can be convinced, however, that there is some protection against gunning it is my purpose to introduce an amendment at the end of the bill providing that no gunning or fishing shall take place on this game preserve.

Mr. ANDRESEN. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. ANDRESEN. The original act provides that this is to be a permanent sanctuary for migratory birds and wild life.

Mr. LINTHICUM. And that there shall be no gunning or fishing within its boundaries.

Mr. ANDRESEN. That is so. It is to be a permanent sanctuary.

Mr. LINTHICUM. Then I shall support the bill and wish it well. Allow me to state, that, in my opinion, the committee should also establish such sanctuaries in the great military reservations of the country such as Fort Leonard Wood, the Aberdeen proving grounds, and such like places throughout the land. [Applause.]

Mr. EDWARDS. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. ALLGOOD].

Mr. ALLGOOD. Mr. Chairman and gentlemen, I like to hunt, and especially do I like to fish. When I can get out on a creek bank or a river bank and the fish begin biting, it makes a good feeling come over me, and I enjoy it. It is worth while to recreate, and I am sure all my colleagues in this House believe in recreation; but we have a measure that has already been before this House. It has been thrashed out once, and you are to-day taking the time of this body again. You are putting the grain through the mill a second time and are using the water that has already gone over the dam. In this measure you are asking for increased appropriations. Almost an additional million dollars is asked for in this bill. The former act provided funds sufficient to buy 70,000 acres of land at \$5 an acre. We were assured that the lands were swamp and overflowed lands and only worth \$5 an acre; now you want \$10 an acre, because the Government is paying the bill.

Congress has appropriated funds to safeguard wild life, but what has been done for the conservation of other forms of life—human life? We have seen millions of dollars worth of property and hundreds of lives destroyed in the Mississippi Valley, and this session of Congress is almost at a close. I saw it predicted this week that we will adjourn the 19th day of May. What have we done for the protection of lives and of property in the Mississippi Valley? You are bringing measures of this character on the floor of the House, yet all farm legislation and other important legislation of this country is at a standstill. You can not get these bills up here. We have idle property at Muscle Shoals, with \$150,000,000 worth of the people's money tied up in those nitrate plants, absolutely idle. We can not get legislation here to place them to producing fertilizers for the relief of agriculture. We can not get any farm relief.

I understand the report on this measure states that it is not in conflict with the President's policy of economy, and yet any legislation that seeks to take care of agriculture in this country seems to be against the President's policy of economy. It seems to me Congress is frittering away its time with such measures as this, when outstanding legislation, that demands the attention of people throughout this Nation, should be given our attention. Personally, I do not approve of it, and while I am in favor of conservation of wild life, I believe that the proponents of this measure should be satisfied and should not be bringing such a measure as this before Congress when outstanding legislation should be given attention. [Applause.]

Mr. ANDRESEN. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. WELSH].

Mr. WELSH of Pennsylvania. Mr. Chairman, I would like to have an opportunity to speak on this bill, not because I fear the bill is in danger of defeat but in order that the authorities or the influences which are shaping our national policy with respect to conservation may have an idea as to how the various Members of Congress from the various localities feel on the subject as a matter of principle. Coming as I do from one of the big cities of the Nation, I am heartily in favor of the bill, not because I am a hunter nor because I am a fisherman, for I am neither. But I am interested in this bill from the economic and sentimental viewpoint and for economic reasons. From an economic point of view the birds and forests are absolutely necessary for the maintenance of our national life. From a sentimental viewpoint I feel, if we take away from this great country of ours the wild flowers and wild life that the Lord placed here, so that the future generations will not know from observation and contact the flora or fauna of America, we will

lose one of the greatest influences that go to make up our national character. I do not think that is an exaggerated statement. I for one feel the time has come when we must go even further along the line of national conservation than we have hitherto gone because of the great increase in our population and because of the increased means of locomotion and transportation. The automobile and the airplane are rapidly reducing this country to a state where no place is sacred and the life of neither flower or beast is sacred at the hands of those who would destroy without any judgment or wisdom whatever.

The gunning feature is absolutely prohibited in this bill. I want to place myself on record as being unalterably opposed to allowing gunning on any future reservations that may be created, because such a permission is simply providing private hunting grounds at public expense. There are only two ways of getting the results desired by this bill. One is the method advocated in the bill and the other is by having great private ownerships, such as have existed in England for the past 1,000 years—yes; from the days of the feudal system—and I prefer this system rather than the English system because the people themselves will have control of these reservations for all time. [Applause.]

Mr. EDWARDS. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. McMILLAN].

Mr. McMILLAN. Mr. Chairman and gentlemen of the committee, I have followed the debate to-day, and to some extent have already expressed my views on this subject. This is not a question, gentlemen, of whether or not any individual Member of the Congress shall express himself with respect to his views about the conservation of game and wild life in this country. I think, Mr. Chairman, every man here to some extent at least is in favor of the conservation of our wild life in some way, but this proposed amendment is not a question of conservation of wild life but solely a question of whether or not we are going to authorize \$10 to be paid for land which just four years ago was to be bought for \$5 an acre, as provided for by the law.

My understanding is that in 1924 the original bill came up, and it was said in the course of that debate that if \$5 was authorized for this purpose that was all that would be necessary for the purchase of this area. Down in my country we have land, as I stated a moment ago, thousands and thousands of acres, 30,000 acres in one tract, that we can buy for \$3.50 per acre for such purposes.

Mr. BLACK of Texas. Will the gentleman yield for a question and a brief observation?

Mr. McMILLAN. I will be pleased to yield.

Mr. BLACK of Texas. When this bill was before the House at some time on its original passage I made the objection that in all probability the committee would be back asking for more money, and I particularly inquired whether or not this limit of \$5 per acre would be exceeded, and I was assured by the committee that this was swamp and overflowed land and that it could be purchased without any difficulty whatever within the \$5 limitation. What has happened is this: When the Government went to purchasing the land some of the owners raised their price, and hence we are now asked to increase the limit of cost. I am opposed to it.

Mr. McMILLAN. There, my friends, the gentleman from Texas is calling attention to exactly what happened on that occasion, and that is why I am now criticizing them for coming back here and asking for \$10 an acre when \$5 an acre was definitely agreed upon at that time.

My friend from North Carolina [Mr. ABERNETHY], as well as my friend from Georgia [Mr. EDWARDS], and all of us along the South Atlantic coast, know we have great areas down there teeming with wild life, and all of us are in favor of its conservation, but to come here and within four years raise the price to \$10 an acre when it was agreed that \$5 was all that was necessary, and then, perchance, in four years from now come back and ask for \$20 or \$30 an acre, is not fair to the committee.

Mr. ABERNETHY. Will the gentleman yield?

Mr. McMILLAN. Yes; I yield.

Mr. ABERNETHY. Does the gentleman think we would ever get any conservation areas down in our country if we destroyed this bill?

Mr. McMILLAN. My friend, we have 40,000 or 50,000 acres already in operation under the original law.

Mr. ABERNETHY. Does the gentleman think that is enough? Does not the gentleman think 100,000 acres would be better? We need these great areas.

Mr. McMILLAN. Then go ahead and buy the 100,000 acres or 80,000 acres under the terms of the original bill; and as my

colleague from South Carolina [Mr. STEVENSON] has already stated, it is not fair to these men who have already sold their lands for \$5 an acre to come back now and raise the price to \$10 an acre.

I repeat, this is not a question of the conservation of game, but is a question of raising the price from \$5 to \$10 an acre when they solemnly agreed four years ago that \$5 an acre would be all that would be necessary. [Applause.]

Mr. EDWARDS. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. Chairman, ladies and gentlemen of the committee, I have always been in favor of conservation, I have always been in favor of protection, when it comes to conserving the wild life of the country or protecting human life or property in any section of the Nation. In this bill, however, I am afraid that you are trespassing upon the policy of economy that has been urged upon this Congress since its inception, especially the policy of economy that the administration is disposed to apply to flood control. While we are attempting to legislate for the conservation and protection of the wild life of the Nation, I think it very appropriate that I read a telegram received last night from the Kiwanis Club at Dexter in Stoddard County, Mo.:

Hon. J. F. FULBRIGHT,

United States Congress:

St. Francis River right now out of banks in Butler and Stoddard Counties flooding highways and farm lands. Families moving out and livestock drowned.

Here is an opportunity for the protection of human life and property in this country if this Congress will avail itself of the opportunity. So far as I am concerned, I am more interested in protecting human life than I am in protecting the wild life of the country. It occurs to me that the Congress should quit frittering away its time on matters of minor importance and devote its time to the solution of the flood-control problem. After reading the telegram to which I have just referred, I picked up a paper—Labor—published here in Washington, and my attention was at once attracted to this editorial:

PROBLEM OF FLOOD CONTROL—NOT A TIME FOR PICAYUNE ECONOMY; BLOCK THE GRAFTERS BY ALL MEANS, BUT MAKE THE MISSISSIPPI SAFE

The flood control bill as it passed the Senate authorized the appropriation of \$325,000,000 to muzzle the Mississippi. Word comes that President Coolidge thinks this too high, especially since there are likely to be further expenses, and a veto is rumored unless the total cost is ascertained beforehand.

It is impossible to know beforehand the total cost of any big work—from damming a river to raising a baby. The question is whether the work is worth the cost.

The last flood devastated 18,000 square miles, all of which would be valuable land if protected. Figure it as good farm land alone, worth \$100 per acre, and it comes out at \$1,152,000,000.

This is more than three times the Senate figure, with nothing reckoned for city property, nothing for navigation, nothing for power. Probably these items taken together are worth four or five times as much as the land.

Complete control of the Mississippi would be a good investment at \$2,000,000,000, or even at three.

The surest way to waste money on this work is to tackle it in piecemeal, picayune fashion. It is a big job to be handled in a big way.

Senator NORRIS is right, as usual, when he says that flood control, navigation, and power development on the main stream and on its tributaries must all be taken together. The time element must be considered, too. A year has been wasted already, and a superflood like that of 1927 is just as likely now as it was two years ago.

Of course, grafters are on the job, getting options on land back of the broken levees, preparing to hold up the Government on the price of a right of way.

Perhaps this is why the additional \$5 per acre is asked in the pending bill to secure additional lands as a refuge for the wild life of this country.

Such buzzards always gather to such a feast; but they need not be allowed to interfere with the work. Congress should give the Executive authority to deal with them—and the Executive should deal in hard-boiled but intelligent fashion.

The total cost of a good job on the Mississippi and its tributaries will be returned many times over. As for financing, we are appropriating \$700,000,000 per year for the Army and Navy, with no chance of getting anything back.

Statesmanship which would enable us, with safety, to reduce that expenditure 25 per cent would provide a billion dollars for flood work in six years without adding a penny to the total national outlay.

I say to you, ladies and gentlemen of the committee, that if this Congress is going on record in constructive legislation for

the protection of human life and property in the way of flood-control legislation it ought to act at once. A broad-minded, statesmanlike view of the matter should be pursued. Quibbling over local contributions should be abandoned. To quibble over local contributions is to place dollars and cents above the question of protecting life and property in the Mississippi Valley. The whole country has been convinced that the problem of protecting life and property and the rehabilitation of this devastated section is national in its scope and that the National Government should assume full and complete financial responsibility. If we are to economize, let us economize in matters that are not of such commanding importance. If we are to economize, let us economize in matters where human life and the earnings of a lifetime are not at stake. If we are to economize, let us economize where economy is justifiable. The editorial which I have just read is saturated to the core with truth and presents an argument that is irrefutable. If we adjourn this Congress after merely passing legislation for the protection of the wild life of the country and without adequate flood-control legislation, we shall invite the condemnation of the people throughout this country. Such a failure would be an outrage if not a crime. Let us not subject ourselves to such an indictment. Let us stand up like men and courageously meet the issue. Let us at once get busy and adopt a flood-control program broad enough to afford protection to the Mississippi River and its tributaries. The Mississippi Valley is entitled to it and the whole country will approve our action. Let us not further delay. [Applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill, with the following committee amendment:

Provided further, That this provision shall not apply to any land or lands and water heretofore acquired or contracted for under the provisions of this act.

The committee amendment was agreed to.

Mr. MAPES. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 2, line 1, after the word "which," strike out the remainder of the line and all of line 2 up to and including the word "purchase."

Mr. KNUTSON. What does that mean?

Mr. MAPES. This is the amendment suggested by my colleague the gentleman from Michigan [Mr. Cramton], now in the chair. It is agreed to by the author of the bill, Mr. ANDRESEN, the gentleman from Minnesota, and, I understand, by the Committee on Agriculture.

It has been explained in the general debate. The purpose of the amendment is to limit the amount that can be paid for additional land to an average of \$10 per acre. Some of the land that has been purchased already has been purchased at a sum considerably less than \$10 per acre. The purpose of the amendment is to make it clear that the bill has in mind future purchases and to eliminate in figuring the average price the price that has been paid for the land heretofore purchased at a considerably less sum than \$10 per acre. I think the amendment is in accord with the purpose of the committee and clarifies the meaning of the bill.

Mr. MONTAGUE. Does not the proviso on page 2 cover that?

Mr. MAPES. It is thought that the language which I propose to strike out is contradictory to the second proviso.

Mr. MONTAGUE. Will it be agreeable to have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read the amendment.

Mr. BLACK of Texas. As I understand it, as the bill is now drawn it is intended to provide that all of the land purchased under this act shall not average more than \$10 an acre?

Mr. MAPES. All lands purchased in the future.

Mr. BLACK of Texas. As I understand at present it is not only intended to make the average apply to land purchased in the future, but to all lands that have been purchased at a considerably less price than \$10 an acre. What will be the effect of the gentleman's amendment; will it be to raise the average cost or will it lower it?

Mr. MAPES. The effect of my amendment will be to lower the average cost—to make sure that the price of the lands purchased in the future shall not average more than \$10 an acre.

Mr. BLACK of Texas. The purpose of the gentleman's amendment is to lower the price rather than to raise it?

Mr. MAPES. Yes.

Mr. BLACK of Texas. To that I have no objection. I am in favor of that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MAPES].

The question was taken, and the amendment was agreed to.

Mr. EDWARDS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 6, after the word "Act," insert: "Provided further, That the price of said lands shall not exceed the assessed valuation thereof for taxes in 1927."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The question was taken, and the amendment was rejected.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House Joint Resolution 200 and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. McMILLAN) there were—90 yeas and 21 nays.

Mr. McMILLAN. Mr. Speaker, I object to the vote on the ground that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. The doors will be closed, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll. All those in favor of the passage of the bill, when their names are called, will answer "aye," and those opposed will answer "no."

The question was taken; and there were—yeas 249, nays 69, answered "present" 1, not voting 113, as follows:

[Roll No. 67]

YEAS—249

| | | | |
|----------------|--------------------|----------------|----------------|
| Abernethy | Corning | Hastings | Major, Ill. |
| Ackerman | Crall | Haugen | Manlove |
| Adkins | Cramton | Hickey | Mansfield |
| Aldrich | Crosser | Hill, Wash. | Mapes |
| Allen | Cullen | Hoch | Martin, La. |
| Andresen | Davenport | Hogg | Martin, Mass. |
| Andrew | Davey | Holaday | Mead |
| Arentz | Dempsey | Hooper | Merritt |
| Arnold | De Rouen | Hope | Michener |
| Aswell | Doutrich | Howard, Okla. | Miller |
| Ayres | Dowell | Hudson | Milligan |
| Bacharach | Drewry | Hughes | Monast |
| Bachmann | Driver | Hull, Tenn. | Montague |
| Barbour | Dyer | Jacobstein | Moore, Ohio |
| Beck, Pa. | Eaton | Jenkins | Morehead |
| Beck, Wis. | Elliott | Johnson, Ind. | Morgan |
| Begg | England | Johnson, Okla. | Morin |
| Berger | Englebright | Johnson, Tex. | Morrow |
| Black, N. Y. | Evans, Calif. | Johnson, Wash. | Murphy |
| Bloom | Evans, Mont. | Jones | Nelson, Me. |
| Bohn | Faust | Kading | Nelson, Wis. |
| Bowles | Fitzgerald, Roy G. | Kahn | Newton |
| Bowman | Fitzgerald, W. T. | Kelly | Niedringhaus |
| Boylan | Fitzpatrick | Kemp | Norton, Nebr. |
| Brand, Ohio | Fletcher | Kerr | Norton, N. J. |
| Brigham | Fort | Ketcham | O'Connell |
| Buchanan | Foss | Kiess | O'Connor, La. |
| Burdick | Free | Kincheloe | Oldfield |
| Burtness | Frothingham | King | Oliver, Ala. |
| Butler | Fulmer | Knutson | Palmisano |
| Carew | Furlow | Korell | Parker |
| Carrs | Gambrill | LaGuardia | Perkins |
| Carter | Garber | Lampert | Porter |
| Cartwright | Gardner, Ind. | Langley | Prall |
| Casey | Garner, Tex. | Lanham | Pratt |
| Chalmers | Gibson | Lea | Purnell |
| Chindblom | Gifford | Leatherwood | Rainey |
| Christopherson | Glynn | Leavitt | Ramseyer |
| Clague | Golder | Leech | Ransley |
| Clancy | Goodwin | Leibach | Rayburn |
| Clarke | Greenwood | Letts | Reece |
| Cochran, Mo. | Griest | Lindsay | Reed, N. Y. |
| Cochran, Pa. | Guyer | Lithicum | Robinson, Iowa |
| Cohen | Hadley | Luce | Robson, Ky. |
| Cole, Iowa | Hale | McKeown | Rogers |
| Collier | Hall, Ill. | McLaughlin | Rowbottom |
| Colton | Hall, Ind. | McLeod | Rubey |
| Connery | Hall, N. Dak. | McSweeney | Sanders, N. Y. |
| Cooper, Ohio | Hancock | McGregor | Sandlin |
| Cooper, Wis. | Hardy | Maas | Schaefer |

| | | | |
|---------------|----------------|----------------|----------------|
| Schneider | Strong, Kans. | Tinkham | White, Kans. |
| Selvig | Summers, Wash. | Treadway | White, Me. |
| Shallenberger | Summers, Tex. | Underwood | Whittington |
| Simmons | Swank | Vestal | Williams, Ill. |
| Sinnott | Swick | Vincent, Mich. | Williamson |
| Sirovich | Swing | Vinson, Ga. | Wilson, La. |
| Smith | Taber | Wainwright | Wood |
| Somers, N. Y. | Taylor, Colo. | Wason | Woodruff |
| Speaks | Temple | Watres | Wurzbach |
| Sproul, Kans. | Thatcher | Watson | Zihlman |
| Stalker | Thurston | Weaver | |
| Stedman | Tilson | Welch, Calif. | |
| Stobbs | Timberlake | Welsh, Pa. | |

NAYS—69

| | | | |
|-------------|-----------------|-----------------|----------------|
| Allgood | Dickinson, Mo. | McReynolds | Steele |
| Almon | Dominick | McSwain | Stevenson |
| Black, Tex. | Doughton | Major, Mo. | Tarver |
| Bland | Douglass, Mass. | Moore, Ky. | Tucker |
| Blanton | Edwards | Moore, Va. | Vinson, Ky. |
| Pox | Eslick | Moorman | Ware |
| Brand, Ga. | Fulbright | Nelson, Mo. | Warren |
| Briggs | Gasque | O'Brien | Weller |
| Browning | Gregory | O'Connor, N. Y. | White, Colo. |
| Busby | Green | Parks | Whitehead |
| Byrns | Hammer | Quin | Williams, Mo. |
| Canfield | Hare | Ragon | Williams, Tex. |
| Cannon | Hersey | Rankin | Wilson, Miss. |
| Chapman | Hill, Ala. | Romjue | Woodrum |
| Collins | Huddleston | Rutherford | Wright |
| Cox | Lankford | Sanders, Tex. | |
| Davis | Lowrey | Sears, Fla. | |
| Deal | McMillan | Steagall | |

ANSWERED "PRESENT"—1

McClintic

NOT VOTING—113

| | | | |
|----------------|------------------|------------------|---------------|
| Anthony | Dickinson, Iowa | Jeffers | Reed, Ark. |
| Auf der Heide | Dickstein | Johnson, Ill. | Reid, Ill. |
| Bacon | Douglas, Ariz. | Johnson, S. Dak. | Sabath |
| Bankhead | Doyle | Kearns | Sears, Nebr. |
| Beedy | Drane | Kendall | Seger |
| Beers | Estep | Kent | Shreve |
| Bell | Fenn | Kindred | Sinclair |
| Boles | Fish | Kopp | Snell |
| Bowling | Fisher | Kunz | Spearing |
| Britten | Frear | Kurtz | Sproul, Ill. |
| Browne | Freeman | Kvale | Strong, Pa. |
| Buckbee | French | Larsen | Strother |
| Bulwinkle | Garrett, Tenn. | Lozier | Sullivan |
| Burton | Garrett, Tex. | Lyon | Sweet |
| Bushong | Gilbert | McDuffie | Tatgenhorst |
| Campbell | Goldsborough | McFadden | Taylor, Tenn. |
| Carley | Graham | Madden | Thompson |
| Celler | Griffin | Magrady | Tillman |
| Chase | Harrison | Menges | Underhill |
| Cole, Md. | Hawley | Michaelson | Updike |
| Combs | Hoffman | Mooney | Wingo |
| Connally, Tex. | Houston, Del. | Moore, N. J. | Winter |
| Connolly, Pa. | Howard, Nebr. | Oliver | Wolverton |
| Crisp | Hudspeth | Palmer | Wyant |
| Crowther | Hull, Morton D. | Peavey | Yates |
| Curry | Hull, William E. | Peery | Yon |
| Dallinger | Igoe | Pou | |
| Darrow | Irwin | Quayle | |
| Denison | James | Rathbone | |

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. Madden with Mr. Garrett of Tennessee.
 Mr. Graham with Mr. Crisp.
 Mr. McFadden with Mr. Pou.
 Mr. Buckbee with Mr. Bell.
 Mr. Connolly of Pennsylvania with Mr. Connally of Texas.
 Mr. Darrow with Mr. Drane.
 Mr. Fenn with Mr. Kindred.
 Mr. Dickinson of Iowa with Mr. Larsen.
 Mr. Reid of Illinois with Mr. Quayle.
 Mr. Shreve with Mr. Bankhead.
 Mr. French with Mr. Kunz.
 Mr. Snell with Mr. McDuffie.
 Mr. Dallinger with Mr. Peery.
 Mr. Sweet with Mr. Spearing.
 Mr. Thompson with Mr. Wingo.
 Mr. Yates with Mr. Gilbert.
 Mr. Beers with Mr. Hudspeth.
 Mr. Johnson of South Dakota with Mr. Yon.
 Mr. Burton with Mr. Mooney.
 Mr. Segar with Mr. Brand of Georgia.
 Mr. Kendall with Mr. Cole of Maryland.
 Mr. Tatgenhorst with Mr. Douglas of Arizona.
 Mr. Sproul of Illinois with Mr. Griffin.
 Mr. Fish with Mr. Harrison.
 Mr. Hawley with Mr. Tillman.
 Mr. Michaelson with Mr. Moore of New Jersey.
 Mr. Kurtz with Mr. Carley.
 Mr. Bacon with Mr. Lozier.
 Mr. Wolverton with Mr. Sullivan.
 Mr. Taylor of Tennessee with Mr. Fisher.
 Mr. James with Mr. Garrett of Texas.
 Mr. Underhill with Mr. Reed of Arkansas.
 Mr. Johnson of Illinois with Mr. Bowling.
 Mr. Browne with Mr. Combs.
 Mr. Menges with Mr. Auf der Heide.
 Mr. Crowther with Mr. Lyon.
 Mr. Kearns with Mr. Bulwinkle.
 Mr. Anthony with Mr. Oliver of New York.
 Mr. Magrady with Mr. Sabath.
 Mr. Curry with Mr. Celler.
 Mr. Palmer with Mr. Dickstein.
 Mr. Frear with Mr. Goldsborough.
 Mr. Sinclair with Mr. Igoe.

Mr. Strong of Pennsylvania with Mr. Doyle.

Mr. Kopp with Mr. Howard of Nebraska.

Mr. Wyant with Mr. Jeffers.

Mr. Britten with Mr. Kent.

Mr. Campbell with Mr. Kvale.

Mr. NORTON of Nebraska. Mr. Speaker, if my colleague the gentleman from Nebraska, Mr. HOWARD, were present, he would vote "aye."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider the vote by which the bill was passed was laid on the table.

THE LATE REPRESENTATIVE JAMES A. GALLIVAN

Mr. CONNERY. Mr. Speaker, so many Members have desired to be present at the eulogy in honor of our late colleague Mr. GALLIVAN that I ask unanimous consent to change the date from April 29 to May 6.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to change the date of the order fixing memorial services for the late Representative JAMES A. GALLIVAN from April 29 to May 6. Is there objection?

There was no objection.

DEBATE UPON THE SUBJECT OF PROSPERITY AND PREPAREDNESS

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting therein an article of which I am the author which appeared in the Wall Street Magazine of April 7 on the subject of naval expenditures and policy.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCLINTIC. Mr. Speaker, under leave granted to me by the House of Representatives I am printing the negative argument of a written debate which was published in the Magazine of Wall Street under date of April 7, 1928, the subject being "Does our prosperity depend upon preparedness?"

The article is as follows:

DOES OUR PROSPERITY DEPEND UPON "PREPAREDNESS" ?

(For the negative, Representative JAMES V. McCLINTIC, Oklahoma, member of United States House of Representatives Committee on Naval Affairs)

I have the distinction of having opposed not only the administration's \$4,200,000,000 nine-year naval program but of being the only member of the Naval Committee who opposed the modified building program decided upon by the latter.

My opposition to both programs is not based upon pacifism or blindness to the possibilities of war. There is a tremendous propaganda abroad to make the people believe that I and everybody who differ from the Navy's theory of naval extension are willing to place the prosperity and international preeminence of the United States in jeopardy for the sake of saving a few hundred millions of dollars. We are accused of being ready to sell the United States out to England and Japan and let them maintain the naval superiority we waived when we scrapped potential command of the seas after the naval limitation conference. So far as I am concerned, the accusation is most unjust. I believe in reasonable preparedness against the remote chance of war. My opposition both to the administration's grandiose program and to that of the majority of the committee is based on the following propositions:

1. They are wastefully extravagant.
2. They are militaristic.
3. They are tactically obsolete and do not insure national defense.

WHAT THE PROGRAM WOULD INVOLVE

The naval program favored by the administration would involve a total naval expenditure of more than \$4,000,000,000 in the next nine years, including upkeep. Another naval armament limitation conference is to be held in 1931. If it decides upon further limitation, we shall then be in the same position as in 1922. We had a supreme Navy program under way then, and actually had to scrap approximately \$300,000,000 worth of building vessels. It is the height of folly now to get ready for another scrapping orgy. Admiral Jones told us that not a single new ship can be completed inside of three years; hence in 1931 our shipyards would be full of building craft ready for the wreckers. Knowing these facts, it is certain that the other naval powers will hold back their construction and thus be in a position to vote with equanimity for more scrapping, with the United States as the only scrapper.

I am in favor of saving approximately \$175,000,000 of the amount the majority would spend in the next three years, thereby making available \$100,000,000 to be used in the construction of submarines and the strengthening of our aircraft. Such a program would prevent the laying down of the type of ship which will be the subject of discussion and might be caused to be scrapped by the naval limitation conference in 1931.

Already 82 per cent of Federal expenditures is in support of military policies, and it is proposed to make it 92 per cent.

It is undeniable that we have a large body of propaganda, if not of opinion, in this country that wants to have the United States the

supreme military power of the world, through enlarging the Navy. No doubt many good people earnestly believe that the way to maintain perpetual peace and guard our prosperity in the coming period of foreign-trade growth and rivalry is for us to be so strong as to enforce peace. Others see ominous war clouds day and night and fear that if we do not build up and maintain a tremendous Navy of the kind they want our envious rivals are going to come over here and smash our primacy in the world. This sort of people really believe in the peace of the big stick, and they are at heart admirers of military glory. Here I would say that there is little or no difference between the administration program and that voted by the committee. About the only important difference is that the former would now commit us to a nine-year building program, whereas the latter contents itself with a three-year program that represents about all that could be done within three years under the nine-year program. The big and wasteful navy advocates have won, despite the camouflage that they have been tamed by public opinion.

INTERNATIONAL GOOD WILL

In my opinion, this is no time for the United States to flaunt its overshadowing power by engaging in a navy-building enterprise that will fill the world with ill will and crush reviving economic strength under a burden of taxation. Our influence should be all in favor of international good will and the elimination of war. No nation or group of nations in the world would dream of attacking us or risking our wrath in the present condition of things. They can't afford war. The approximate indebtedness of England is \$37,200,000,000; the United States, \$18,284,000,000; France and her colonies, \$12,872,000,000; Italy, \$4,942,000,000; and Japan, \$2,500,000,000—making a total of nearly \$76,000,000,000 for the five major nations of the world, most of which is the terrible toll caused by war. Another war in the near future would ruin our rivals. No matter how much they may dislike us, all want peace.

The foundation of the favored naval legislation calling for 15 cruisers rests upon the assumption that England has far greater cruiser strength than the United States, when, in truth, according to the figures given me, if a proper allocation is made, the United States has 99,924 more tons of cruiser strength than England.

Many students of the Geneva conference are of the opinion that an agreement could have been reached if the United States had agreed to put 6-inch guns on the new type of cruiser desired. However, when it is known that the Navy kept Admiral Jones in England off and on for a period of two years in conference with certain naval officers and that all naval officers are against the reduction of ships, it can be easily understood why the disarmament conference at Geneva was the most successfully concluded of any ever held, from the standpoint of the officers in the Navy.

The naval programs so warmly advocated are really the product of the officers of the Navy and the present administration.

Congressman BRAND, of Ohio, in a speech made in the House of Representatives a few days ago, stated that 40 per cent of the laboring people in the United States at the present time are idle. According to statistics, the combined shipbuilding companies in the United States during the year 1927 turned out only 124,000 tons, in comparison with 1,225,800 tons built by England and Ireland, thus showing that England is keeping up her merchant marine, which, after all, is the most important adjunct to a navy in time of war. This bill represents a heroic effort to stimulate a serious depression in shipbuilding activities. Congressman BLAND, of Virginia, on March 16, said: "I want to call your attention to the fact that the private yards of this country are trembling on the border of absolute dissolution and starvation."

There are nearly 600 naval officers in Washington and they want not only a powerful navy but a magnificent one. They want great battle-ships and majestic cruisers that are better than those types in any other navy. Being human, they are probably thinking not a little of their own comfort and prestige as the men who have to live in our fighting ships and show the flag abroad.

In the third place, I am unalterably opposed to the big-Navy program because it is navally erroneous and obsolete. The kind of a Navy it contemplates can not defend our coasts or carry war to the enemy. It is not a grim fighting Navy, but a showy peace Navy.

Submarines and aircraft are the decisive weapons of modern naval warfare. With sufficient submarines we could shut off the vital supplies of any nation that dares to engage us in war. We could block the ocean lanes of commerce and close their harbors at home. With sufficient seaplanes we could make it impossible for any surface craft to approach our shores. If our big-Navy men are sincere, they ought to give us plenty of submarines and flocks of airplanes; but submarines are not pleasant living quarters, and crouching in the cockpit of a fighting plane is not so comfortable as a stroll on the quarterdeck of a great cruiser. To carry the war to enemy submarines, let us commission the 150 destroyers that are tied up at Philadelphia and San Diego, and scrap a lot of the ships that progress has made obsolete.

The best use we can make of our huge battleships is to make them airplane bases. I favor spending \$18,000,000 to make every one of these 18 ships a carrier of bombing planes. That would be equivalent

to extending the range of their guns to 200 miles; it would make them effective for modern warfare. That is far better than spending \$19,000,000 each or more on exclusive plane carriers, and a hundred millions to elevate the guns of the battleships.

Every competent witness appearing under oath before the various aircraft committees of Congress has said that no nation can land an army on our shores as long as we have superior aircraft facilities. Therefore it would seem that the wisest policy for this Nation to pursue at the present time is to take care of its internal problems, such as flood control and the stimulation of agricultural pursuits, rather than to waste the taxpayers' money in the construction of a type of ship that probably would not be utilized in another war.

I am against the proposed big Navy because though it may be big it will be weak, because it will promote the war spirit without making for success in war, and because we can make ourselves invulnerable and insure our prosperity so far as international conflicts may affect it, reduce the terrible burden of taxation for military purposes, and get a more formidable Navy for far less money.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DRANE, for an indefinite time, on account of important business.

MESSAGE FROM THE PRESIDENT

A message, in writing, from the President of the United States was presented to the House of Representatives by Mr. Latta, one of his secretaries, who also announced that on the following dates the President had approved and signed bills of the following titles:

On April 4, 1928:

H. R. 9831. An act authorizing J. E. Turner, his heirs, legal representatives, or assigns, to construct, maintain, and operate a bridge across the Ocmulgee River at or near Fitzgerald, Ga.; and

H. R. 12245. An act to amend the War Finance Corporation act, approved April 5, 1918, as amended.

On April 5, 1928:

H. R. 9663. An act authorizing Herman Simmonds, jr., his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Tampa Bay from Pinellas Point, Pinellas County, to Piney Point, Manatee County, Fla.

On April 6, 1928:

H. R. 9020. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto.

On April 9, 1928:

H. R. 4115. An act for the relief of Winfield Scott;

H. R. 4116. An act for the relief of W. Laurence Hazard;

H. R. 4117. An act for the relief of Harriet K. Carey;

H. R. 7472. An act to grant to the town of Cicero, Cook County, Ill., an easement over certain Government property; and

H. R. 11140. An act to provide for the inspection of the battle field of Kings Mountain, S. C.

On April 10, 1928:

H. R. 3466. An act for the relief of George A. Winslow;

H. R. 5495. An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians;

H. R. 142. An act to add certain lands to the Idaho National Forest, Idaho;

H. R. 144. An act to add certain lands to the Challis and Sawtooth National Forests, Idaho;

H. R. 6056. An act to provide for addition of certain land to the Challis National Forest;

H. R. 9137. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the projected State highway between Lebanon and Hartsville and Gallatin near Hunters Point, in Wilson and Trousdale Counties, Tenn.;

H. R. 9144. An act to provide for the conveyance of certain lands in the State of Wisconsin for State park purposes;

H. R. 9147. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Jasper-Chattanooga road in Marion County, Tenn.;

H. R. 9197. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Knoxville-Maryville road in Knox County, Tenn.;

H. R. 9198. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Paris-Dover road in Henry and Stewart Counties, Tenn.;

H. R. 9199. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Dover-Clarksville road in Stewart County, Tenn.;

H. R. 9583. An act authorizing the reporting to the Congress of certain claims and demands asserted against the United States; and

H. J. Res. 215. Joint resolution to authorize the Secretary of Agriculture to accept a gift of certain lands in Clayton County, Iowa, for the purposes of the upper Mississippi River wild life and fish refuge act.

LEAVE TO FILE MINORITY VIEWS ON FARM RELIEF LEGISLATION

Mr. FORT. Mr. Speaker, I ask unanimous consent that I may have during the remainder of the week in which to file minority views on the bill H. R. 12687, the farm relief bill. There is no objection to this on the part of the committee.

The SPEAKER. Is there objection?

There was no objection.

REGIONAL ORGANIZATION OF VETERANS' BUREAU

Mr. GARBER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on regional organization in the Veterans' Bureau.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARBER. Mr. Speaker, prior to the establishment of the Veterans' Bureau in August, 1921, and for a few months thereafter, all compensation claims were handled here in Washington—a practice which proved not only expensive and unsatisfactory but inefficient as well. With the act of 1921, cases were decentralized to fourteen district offices throughout the United States with suboffices, the district offices, however, having sole power to adjudicate claims. The World War veterans' act of June 7, 1924, authorized further decentralization to regional offices and gave them power of adjudication, a system now operating through 54 offices throughout the United States.

As evidence of the practicability of the system, I wish to insert in the RECORD a letter from Maj. Harry Gilstrap, regional manager of the United States Veterans' Bureau at Oklahoma City, whose services in that capacity since its establishment have won for him national recognition. The personal experiences of Major Gilstrap eminently qualify him for the position he now holds. Before our entrance into the war he served as captain of the First Infantry of the Oklahoma National Guard, entering the Federal service in March, 1917. A year later he was promoted to the rank of major of Infantry, serving overseas from July 31, 1918, to April 5, 1919. He now holds the rank of major in the Infantry Reserve. Major Gilstrap has the confidence and respect not only of the Oklahoma claimants with whom he comes in direct contact but of veterans and their friends throughout the country, for they recognize that he is in reality one of them, eager to give them every possible assistance, a man whose sympathy and understanding can be relied upon. He has the ability to efficiently discharge the duties of his office and the wisdom and the courage to strike at the heart of the problem, the rehabilitation of the Nation's mankind.

UNITED STATES VETERANS' BUREAU,
OFFICE OF REGIONAL MANAGER,
Oklahoma City, Okla., April 6, 1928.

Hon. M. C. GARBER,

House of Representatives, Washington, D. C.

MY DEAR MR. GARBER: In a letter addressed by the Director of the Veterans' Bureau to all regional managers under date of December 23, 1927, there was contained an admirable statement of the purposes and responsibilities of the bureau and of the importance of proper attention to claimants and of the necessity of so handling the work of the bureau as to make for the bureau friends of all those dealing with the bureau through its various activities. Among the other apt statements of policy contained in the letter referred to were the following:

"We must so conduct the business of the bureau as to satisfy the Congress that its provisions are being strictly complied with, and all potential recipients of its appropriations, either of money, of insurance benefits, or of medical and surgical care, are given patient and sympathetic attention. Without this, our work will fail * * *. Manifestly, Government agencies dealing with the public and with the veteran are unable to make expenditures for the purposes of establishing good will or making friends, so it is necessary that this be accomplished by giving to those dealing with the bureau through its various activities, that type of service which, in the rendering, will bring greater confidence, make friends, and continue to hold them."

I feel sure that it will be a matter of interest to you to have definite information and evidence tending to show in what degree the regional office of the bureau in Oklahoma is succeeding in gaining confidence for the bureau and in making and holding friends for the

bureau through a careful observance of the policy outlined in the foregoing quotation. It is the purpose of this communication, therefore, to submit a showing that will tend to show that the Oklahoma City regional office is in fact giving patient and sympathetic attention to all potential beneficiaries of the bureau, and also that this office is making for the bureau friends out of the claimants, the veterans' and welfare organizations, and the public generally.

To properly evaluate what has been accomplished in the way of establishing the bureau in the confidence of the veterans of this State, it may be well to note the feeling that existed toward field activities of the Veterans' Bureau prior to the establishing of the regional office at Oklahoma City. The department convention of the American Legion which was held at Bartlesville on September 14, 1922, adopted the following resolution without a dissenting vote:

"The Veterans' Bureau work in this district is characterized by delay, inefficiency, and a lack of sympathy. The policy seems to be to hinder, rather than to help, disabled men in establishing their claims. It is next to impossible to secure intelligent answers to appeals for information. Awards of compensation are reduced or discontinued without examination. Officers in positions of authority seem imbued more with the idea of saving money to the Government than extending aid to worthy disabled veterans. In selecting places for the hospitalization and vocational training of our disabled veterans there is too often an apparent consideration of building up Texas institutions rather than giving thought to the comfort, convenience, welfare, and morale of the men whose interests should be paramount. It seems to be a fixed policy that in case of doubt the decision should always be adverse to the disabled soldier. The officials of the district seem incapable of recognizing the emergency character of some cases or else unwilling to cut red tape and eliminate the delay that may endanger health and life.

"At our last department convention, S. P. Kohen was present as the representative of the Dallas office of the bureau and gave every promise of cooperation and improved service. These assurances have not been fulfilled. The decentralization of cases from the central office has been attended by delay, confusion, and endless 'passing of the buck.' We believe that S. C. Kile and S. P. Kohen are in a great degree responsible for the conditions of inefficiency and criminal neglect in this district, and we demand their removal in the interest of our disabled comrades. The conditions within the two suboffices within the State are unsatisfactory, whether as a matter of weakness, indifference, or a lack of authority, or all. If they fail in their obligations to disabled veterans through lack of courage to defy red-tape methods, if they are more concerned about holding their jobs than about ministering on behalf of the Government to the human wreckage of the World War, they are wholly unfit for the duties assigned to them. We insist upon an immediate and thorough investigation of the conditions named, and all others, with a view to fixing the responsibility and eliminating those who are responsible for the objectionable conditions and replacing them with men who will administer the law in the spirit in which the country desires it administered. We trust that such investigation will not be of the perfunctory sort that has been had when the fourteenth district officials have been permitted to investigate themselves, and we pledge the American Legion to give full cooperation in determining conditions and in finding and applying the remedy."

It will be noted that the foregoing indictment indicates a condition of affairs and a type of service on the part of bureau activities in this State which was the very opposite of that which is enjoined upon regional managers by the director's letter of December 23, 1927, as the standard to be attained.

In 1923 the department convention of the Legion was held at Lawton on September 20 and 21. At this convention a resolution was presented from the floor of the convention and adopted, the resolution criticizing the administration of the district office, and particularly the district manager and the chief of claims. I have not been able to get the exact text of this resolution, but its purport is a matter of record in central office.

The 1924 department convention was held at Ada. I have not been able to secure the record of this convention as to the resolution adopted.

The 1925 department convention, held at Pawhuska, was the first to be held after this office began to function as a regional office. At this convention on September 3, 1925, the following resolution was adopted:

"We most heartily approve the organization plan by which the Veterans' Bureau has established a department within this State, and we desire to express our satisfaction and appreciation of the thorough and efficient manner in which Maj. H. B. Gilstrap and his corps of officers have discharged their full duties in administering the affairs of the bureau in this State."

It is evident that in less than a year of existence the regional office had so won the confidence of the Legion that its official expression was practically the opposite of the estimate of two and three years before as to the work of the bureau in this State and district. That this favorable opinion continued to represent the sentiment of the American Legion in Oklahoma is shown by the adoption of the following

resolution at the 1926 convention of the Legion at Ardmore on September 7:

"Whereas the first problem and care of the American Legion is the care of our sick and disabled comrades; and

"Whereas the United States Veterans' Bureau at Oklahoma City, Hospital No. 90 at Muskogee, and the Sulphur Sanatorium at Sulphur, are the mediaries through which our sick and disabled are cared for; and

"Whereas the management of these institutions has shown such high-grade efficiency, sympathy, and kindly feeling toward the disabled veterans: Therefore be it

"Resolved, That the American Legion, in convention assembled, go on record as thanking Maj. Harry Gilstrap and his corps of workers of the United States Veterans' Bureau, Col. Hugh Scott and his corps of assistants of the Memorial Hospital, Doctor Wharton of the Sulphur Sanatorium and his efficient staff, for their untiring efforts, sympathy, and care given our sick and disabled comrades; be it further

"Resolved, That a copy of these resolutions be sent to Maj. Harry Gilstrap, Col. Hugh Scott, Doctor Wharton, and a copy to the post commander of the post at Muskogee, and a copy mailed to the press of each of the cities mentioned."

The 1927 department convention of the Legion was held at Guthrie on August 7, 8, and 9, and the attitude of the department toward the United States Veterans' Bureau was expressed in the following extract from the annual report of the department commander:

"Inasmuch as two department conventions and several district conventions of the American Legion had expressed by appropriate resolutions their confidence in the management of the Oklahoma City office of the Veterans' Bureau and their approval of the manner in which that office was serving the disabled veterans and their dependents, it was deemed best that local posts and individual claimants and their friends should handle their Veterans' Bureau problems by direct contact with the regional office. Such a plan would eliminate a duplication of work and unnecessary delay and would relieve the department headquarters of a great deal of correspondence. Accordingly, the Legion posts were requested through the Oklahoma Legionnaire, last fall to take up matters relating to compensation, hospitalization, and other bureau matters direct with the Oklahoma City office, with the assurance, however, that department headquarters would stand ready to assist if prompt and satisfactory results were not obtained. In this way department headquarters has been relieved of much work, information on bureau cases has been furnished more promptly, and complaints have been negligible. There are doubtless still many veterans with valid claims for compensation or with real need of hospitalization or medical treatment who are hesitating to contact the bureau because of past unsatisfactory experience or unfavorable reports. To all such the Oklahoma Legion would say, 'Take a chance on the Veterans' Bureau. You will receive prompt and courteous treatment and every benefit to which you are entitled under the law.' It is my observation, beginning long prior to my term of office, and my deliberate judgment, that the local regional office here, under the direction of Comrade Harry B. Gilstrap, has an administration extraordinarily able, and is, I believe, the best-managed office of its kind in the country."

Several district conventions, as stated by the department commander in the foregoing quotations, have adopted similar commendatory resolutions. All of these expressions have been entirely voluntary and without suggestion or assistance from the regional manager or any other representative of the regional office. They represent the real attitude of the American Legion in Oklahoma as to the service being rendered by the Veterans' Bureau in this State. Individual expressions from the several department commanders of the Legion will be referred to later.

The most recent action of Legion representatives as showing the attitude of the Legion in Oklahoma toward the regional office was taken at a State conference of Legion officials at Oklahoma City on December 5, 1927. This was a gathering to which every one of the two hundred and fifty-odd posts of the Legion in Oklahoma was asked to send its post commander, post adjutant, and post service officer. The conference was also attended by the department officers of the Legion and the auxiliary. Accordingly, it was a very representative gathering. National Commander Spafford, of the Legion, was present, and his making this official visit tended to bring out a large attendance. The following resolution was offered by Past Department Commander Roy Hoffman:

"Whereas we note with satisfaction the apparently universal approval of the work of the Oklahoma City regional office of the United States Veterans' Bureau on the part of the veterans and their dependents and friends, the Legion posts, the press, and the public generally; and

"Whereas this approval has been brought about, not by any sacrifice of the regular prescribed procedure, but, rather, by courtesy in contact with claimants, promptness in the handling of inquiries, thoroughness in examinations, carefulness in ratings, and clearness in the application of regulations and rating schedules; and

"Whereas the Veterans' Bureau in Oklahoma, has come to be regarded as the sympathetic friend and helper of the disabled veteran instead of an agency bent upon finding a way to deny him that which

Congress sought to give him, the policy of the regional office being a correct interpretation of the spirit and purpose of our laws; and

"Whereas we believe that the zeal of the regional manager in assisting veterans is due to a genuine sympathy, born of long experience in studying their needs, and not to any apparent purpose of seeking popularity for selfish ends; and

"Whereas the exceptional morale and teamwork among the personnel of the regional office is an evidence of efficient administration and is an invaluable aid to the rendering of good service: Therefore be it

"Resolved, That the representatives of the American Legion posts in Oklahoma express their confidence that the regional manager of the Oklahoma City office has never sought to exercise undue or improper influence upon the rating boards in an effort to secure ratings for claimants, and that he should not be restricted in any way with reference to his privilege of presenting to such boards any facts or arguments when he is requested so to do by claimants and their friends; and be it further

"Resolved, That it is the belief of this conference that in every regional office there should be maintained a cooperation section in which the personnel may be independent of the adjudication activities of the office to the extent that such personnel may be in a position to act as attorneys for claimants in the preparation and presentation of claims and may be in a position to challenge the correctness of any action taken which may seem to do injustice to claimants; and be it further

"Resolved, That this conference recommends that the cooperation section, formerly functioning directly under the regional manager for the purpose of assisting claimants, shall be taken from the adjudication division, so that the contact workers in this cooperation service will not be hampered or embarrassed in their efforts to assist claimants."

A motion to adopt the resolution was made by A. L. Allison, of Tulsa, member of the national executive committee of the Legion; seconded by Hugh Askew, of Enid, adjutant of Argonne Post; adopted by unanimous vote.

This resolution, adopted nearly three weeks before the issuing of the director's regional manager letter of December 23, gives credit to the Oklahoma City regional office for doing exactly the type of work outlined in the director's letter.

The files of this office contain many letters from Members of the Oklahoma congressional delegation, from representatives of posts of the American Legion and other organizations, and from individual claimants, all expressing satisfaction with the service being rendered by the regional office. Most of these letters were written in connection with individual cases and are therefore in claims files and are not available for ready reference, not having been copied or indexed, but instead being filed as part of routine correspondence. There are, however, a number of letters that are available without searching, and extracts from some of these are given herewith as showing the favorable reaction to the service being rendered by this office.

Jim Hatcher, department commander of the Legion in 1924-25, in a letter to the regional manager, dated June 29, 1925, said:

"I have been over the State in different sections, following claims and rating board around. I have heard nothing but words of praise and good words for you and your bureau."

"The boys over on the eastern side sure do like your way of running the Veterans' Bureau. When I hear these good things about you I like for you to know it."

Later in the year, as Commander Hatcher was retiring from office, he again wrote under date of September 30, 1925, as follows:

"I thank you for your kind letter of September 26. Such kind words as these are the salary and reminiscences of department commander. I can truthfully say that you gave us fine cooperation, and without the cooperative spirit shown the American Legion it could never have done what it did."

"You have been a fine legionnaire and have shown that your heart and soul were for the sick and disabled."

Bob Kerr, department commander in 1925-26, said in a letter dated February 3, 1926:

"The Legion is with you, for you, and will always stand by you."

Roy Hoffman, department commander in 1926-27, in his annual report to the department convention at Guthrie August 9, 1927, paid a tribute to the regional office which has already been quoted.

Hon. R. L. Owen, then United States Senator, under date of January 17, 1925, said in a letter to the regional manager:

"I am pleased to know that the work of the Oklahoma City regional office is functioning so well."

Hon. ELMER THOMAS, formerly Congressman from the sixth district, now United States Senator, wrote under date of May 11, 1925:

"I am delighted to know that my district has been cleaned up so well and that there are less than 100 ex-service men who have not been reached and entirely satisfied through the activities of your bureau."

"I assure you that I am well pleased with the service received and the consideration given the boys whom I have been privileged to present for your consideration."

Under date of July 1, 1926, Senator W. B. PINE wrote to the regional manager as follows:

"Your plan of going into the several counties and reaching those veterans and dependents who do not know their rights under the law is good work, and I believe that it should be continued."

"My work on the Military Affairs Committee brings me in contact with Civil and Spanish-American War cases. We are far removed from the close of these wars, and exact facts in connection with service records are hard to establish. It is plain to me that now is the time to clear up the records and establish the rights of World War veterans and their dependents."

Hon. E. B. HOWARD, Representative from the first congressional district, wrote under date of January 17, 1925:

"It is a great relief to me to know that your office is now in position to act on claims of Oklahoma men. I am also delighted to know that you are in charge of the office there, and feel sure that the boys will have no complaints to make of the treatment given them by your office."

Hon. W. W. HASTINGS, Representative from the second congressional district, wrote under date of April 17, 1925:

"I am very much interested in the plans you outlined and believe that if such authority were granted that it would enable your bureau to give more correct rating for all claimants for compensation and would also result in a much better feeling on the part of ex-service men toward the Veterans' Bureau and the Government."

Hon. C. D. CARTER, then Representative from the third congressional district, wrote under date of May 1, 1925:

"I wish to congratulate you upon this good work and assure you of my hearty cooperation in bringing these matters to a speedy conclusion."

Hon. TOM D. McKEOWN, Representative from the fourth congressional district, wrote under date of October 24, 1927:

"Permit me to express my sincere appreciation to you and your department for the splendid work you are doing for my boys in the fourth district. I wish to take this opportunity before going back to Washington to express my thanks for this splendid work, and any time you are in Washington this winter I will be glad to see you."

Hon. F. B. SWANK, Representative from the fifth congressional district, wrote under date of January 19, 1925:

"I am sure the establishment of this regional office, with you as the regional manager, will be a great assistance to our soldiers in Oklahoma."

Hon. J. V. McCLINTIC, Representative from the seventh congressional district, wrote under date of December 21, 1925:

"I am very appreciative of the pains you have always taken in looking after the cases coming from the seventh district, and I hope it will not be necessary to bother you in the very near future."

Hon. M. G. GARBNER, Representative from the eighth congressional district, wrote under date of January 19, 1925:

"It should be a source of constant satisfaction to you to know in what high regard you are held by your country as well as by all these boys in whose behalf you are expending your efforts. We are under great obligations to these boys who gave so freely and so cheerfully when their country called, and it is an obligation toward the meeting of which the effective functioning of the Veterans' Bureau is a big step. Oklahoma is to be congratulated upon having at her command the services of a man of your character and proven ability."

Under date of August 13, 1927, Congressman GARBNER again wrote to the regional manager as follows:

"Oklahoma veterans are very fortunate indeed in having at the head of their bureau a man who is so genuinely interested in their problems and who is capable of administering the law in a sympathetic, intelligent manner."

Mrs. M. L. Opperud, department president of the American Legion Auxiliary for 1927, wrote under date of April 29, 1927:

"Certainly want to thank you for the address you gave at the recent conference in Oklahoma City in honor of Mrs. Adalin W. Macauley, our national president."

"I feel sure that Mrs. Macauley was favorably impressed with the work of the Veterans' Bureau in this department."

"Please call on the American Legion Auxiliary if we can be of any assistance to you in your work"

David J. Wenner, liaison officer of the D. A. V. W. W. at the Soldiers' Tubercular Sanatorium at Sulphur, wrote, under date of December 24, 1927:

"It is with the greatest of pleasure that I have this opportunity to offer to you and to all of the employees of the bureau at your office a most sincere wish for a truly merry Christmas and a most happy New Year on behalf of the patients at this hospital."

"Also I wish to express our appreciation of the spirit of cooperation and helpfulness that you and your office have shown to all of us throughout the past 12 months."

M. R. Harrison, chairman of the soldiers' relief commission, wrote under date of February 14, 1928:

"I, on behalf of the commission, want to express our sincere thanks and appreciation of the wonderful service rendered the Commission and the disabled soldiers of the Soldiers' Tubercular Hospital at Sulphur in our little upheaval just past, and I want you to know that

we deeply appreciate further the kind of a man you gave us in Doctor Rhodes, one of the finest men I believe I have ever met, and, as I told the doctor, a 'real pinch hitter.'"

This office has a collection of nearly 1,000 newspaper clippings, ranging from a single paragraph to a full-page illustrated story in the Sunday Oklahoman, all presenting in a commendatory way the work done by the Veterans' Bureau in Oklahoma through the Oklahoma City regional office.

The foregoing quotations are only samples of the complimentary utterances concerning our work in Oklahoma. There have been many other expressions equally favorable, but it is believed that the evidence that has been submitted herein will show that this office is rendering service in strict accordance with the high standard outlined in the director's letter of December 23, 1927.

Very truly yours,

H. B. GILSTRAP,
Regional Manager, Oklahoma City, Okla.

ERADICATION OF EUROPEAN CORN BORER

Mr. HAUGEN. Mr. Speaker, I call up the bill (H. R. 12632) to provide for the eradication or control of the European corn borer.

The SPEAKER. The gentleman from Iowa calls up the bill H. R. 12632, which is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union, and the gentleman from Michigan, Mr. KETCHAM, will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12632, with Mr. KETCHAM in the chair.

The Clerk reported the title of the bill.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Indiana [Mr. PURNELL].

The CHAIRMAN. The gentleman from Indiana is recognized for one hour.

Mr. SUMMERS of Washington. Mr. Chairman, I ask to be recognized in control of the time in opposition to this bill if no member of the committee opposes it.

The CHAIRMAN. Is any member of the committee opposed to the bill? If not, the gentleman from Washington will be recognized to control time in opposition to the bill.

Mr. PURNELL. Mr. Chairman and gentlemen of the House, the purpose of this bill, which authorizes, if passed, an appropriation of \$7,000,000 to be expended by the Department of Agriculture under certain limitations set up in the bill, is to carry on for another year the campaign against the European corn borer. In order that the membership of the House may have some further information as to what was done with the \$10,000,000 which was appropriated by Congress last year and used in connection with the corn-borer campaign, I have set out in the report which I have filed with this bill and incorporate here a brief summary of those expenditures:

Corn-borer clean-up appropriation, 1927-28—Expenditures to March 31, 1928

| | |
|---|---------------|
| Salaries in Washington | \$77,660.04 |
| Salaries in the field | 322,254.25 |
| Wages (inspectors, laborers, etc.) | 1,198,089.49 |
| Total, personal services | 1,598,003.78 |
| Supplies and materials (stationery, gasoline, oil, etc.) | 394,140.52 |
| Communication service (telephone and telegraph) | 8,562.46 |
| Travel expenses (transportation and subsistence) | 161,344.74 |
| Printing and photographing | 6,001.75 |
| Transportation of things | 17,496.71 |
| Storage of motor vehicles | 4,217.18 |
| Advertising and publication of notices | 56.98 |
| Heat, light, power, water, and electricity | 4,043.54 |
| Rents, buildings, land, etc. | 26,337.15 |
| Repairs and alterations to buildings and machinery | 123,415.89 |
| Miscellaneous expenses | 243.24 |
| Reimbursement to farmers | 4,251,656.96 |
| Equipment (machinery, furniture, automobiles, etc.) | 2,304,940.92 |
| | 8,990,461.82 |
| Unexpended balance | 1,009,538.18 |
| Total of appropriation | 10,000,000.00 |
| Against the unexpended balance of | 1,009,538.18 |
| There are liabilities amounting to | 156,194.78 |
| Unobligated balance (including \$153,250 held in Secretary's office unallotted) | 853,343.40 |

The bill as I introduced it this year authorized an appropriation of \$10,000,000, a like sum to that carried last year, but in view of the fact that we still have intact and in good condition in the neighborhood of \$2,000,000 worth of machinery which was purchased last year, and in view of the further fact that there is in round numbers a million dollars left of that

fund, the committee in its wisdom reduced the amount to \$7,000,000 authorized in the bill.

Two important provisos are added to this bill which were not carried in the bill of last year. One of those provisos reads as follows:

Provided, That no part of the appropriation herein authorized shall be expended for the purchase of new machinery unless the Secretary of Agriculture deems such expenditure necessary by reason of an emergency, and in such case an amount not to exceed 1 per cent may be so expended.

The purpose of that, of course, is to meet the fear which arose in the minds of many Members of Congress and throughout the country that there would be additional and unwarranted expenditures for machinery. The second proviso, which is of importance and new in this particular bill, is as follows:

Provided further, That an amount not to exceed 9 per cent of the appropriation herein authorized may be expended for the employment of persons and means in the District of Columbia and elsewhere and all other necessary expenses other than necessary expenses for farm clean-up incidental to such eradication or control.

In other words, not more than 1 per cent is to be expended in any event for farm machinery, and not more than 9 per cent is to be expended for what may be termed overhead expenses, leaving a balance of 90 per cent which is to be used for reimbursement to farmers who do work in connection with this clean-up campaign, which is not incident to regular farm practices.

Now, let me say, gentlemen, in the beginning, that the vital question at issue in this whole matter before the committee and before the House is the expenditure of the 90 per cent of this appropriation, which, as I say, goes to the individual farmers in and along the periphery of this infested area for such work as they may do which is regarded as extra in addition to their regular farm practices and not usually done by thrifty farmers in connection with their farming operations. It is the position taken by our committee; also by the farm organizations of the country, and the interests in the Middle West, particularly in the Corn Belt, which is threatened by the corn borer, that if these farmers on the edge of the infested area are called upon to conduct unusual and unnecessary clean-up campaigns in connection with the holding back of this pest, which not only threatens the Corn Belt but the livestock industry and agriculture itself, they shall be reimbursed out of the Federal Treasury for that work which is extra and which they would not otherwise do. In other words, we feel that they should be reimbursed for doing that which is not done down in the sections not affected by the corn borer, if by so doing they hold the borer in check. In other words, we regard this as a national rather than a local problem. Recognizing the menace of the corn borer and the threat which it holds not only over the Corn Belt but the livestock industry and agriculture itself, we feel that out of the Treasury should come this extra pay for this extra labor which they otherwise would not be called upon to do and would not do.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. PURNELL. Yes.

Mr. LINTHICUM. What is the technical work against the corn borer? It is quite a lot of money you are asking for.

Mr. PURNELL. It seems quite a lot of money. Last year there was expended over \$4,000,000 in reimbursement to the farmers in this infested area, who, under the direction of the Department of Agriculture and in cooperation with the States, cleaned up their barnyards, their fields, and their fence rows, so that all possible places of hibernation might be destroyed. In many instances with their wives and children they picked up these cornstalks in baskets by hand and burned them, so that no hiding place for the corn borer should be left on the farms in the areas which were to be cleaned up. It was the only way by which the spread could be retarded. Does that answer the gentleman's question?

Mr. LINTHICUM. I know very little about it. Of course, I would like to know more about it. The only way this pest is conveyed is by these old cornstalks? Is that correct?

Mr. PURNELL. Yes. I think the only possible opposition to this bill may be in sections where they use products of the corn. It does not come from the farmers themselves. The corn borer came over to this country in 1916 or perhaps a little earlier. It came over in a shipment of broom corn, presumably from Austria. From that shipment of broom corn containing a small quantity of corn borers we have seen grow and develop hundreds of millions of corn borers. They spread westward and destroyed almost in toto the corn crop in Canada north of Lake Erie. Those corn borers found their way, when in the moth stage, across Lake Erie, and infested the border line south of Lake Erie in the United States. Marked moths

have been known to fly as far as 25 miles. It is assumed that they fly farther than that.

The moth lays her eggs under the leaf of the growing corn, and within a few days, perhaps five or six, they hatch into active and hungry corn borers. The female moth deposits 40 or 50 eggs at a time. The borer first feeds on the leaf of the corn and as soon as it is strong enough goes into the stalk. When they have reached the corn-borer stage they live in that form throughout the winter. I have been told on good authority that they can survive in a cake of ice. They can survive in the water. I think they have been soaked for perhaps more than 80 hours in a saturated salt solution and still came out alive. They live in these cornstalks throughout the winter. In the spring time they emerge in the form of a moth and lay their eggs and raise a new crop.

Mr. ALMON. Mr. Chairman, will the gentleman yield there?

Mr. PURNELL. Yes.

Mr. ALMON. Do they live in the stalk, and do they cause the stalk to die by boring into the stalk?

Mr. PURNELL. Yes. Of course, it requires more than one or two borers to produce commercial damage. The question is, What is commercial damage? It is a mooted question. The State entomologist from my own State, Mr. Frank N. Wallace, for whose opinion I have the very highest regard, made the statement before our committee that 1 per cent infestation produces commercial damage. Ten or twelve corn borers in a stalk will not only produce commercial damage but will destroy it.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. PURNELL. Yes.

Mr. GREEN. In what stage do they attack the stalk—before the ear is set or afterwards?

Mr. PURNELL. Before the ear is set.

Now, as I said a moment ago, we have \$2,000,000 of machinery, in round figures, and we have approximately a million dollars left of the \$10,000,000 appropriated last year, and the committee felt that for the purpose of carrying on this clean-up campaign for another year \$7,000,000 would be sufficient.

Let me say here, lest I forget it, that this is not to be a continuing policy. This policy of paying farmers for the extra labor done on their farms is, in a sense, a new one, but until the farmers in the infested area and on the border of infestation can be taught how to combat the corn borer, how to adapt themselves to new methods of farming, new methods of diversification and new methods of clean-up, we in the Agricultural Committee of the House felt that we ought to assist them at least one more year in bringing about this change.

Mr. MILLER. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. MILLER. In this clean-up you speak of, what becomes of the rubbish? Is it burned or how is it destroyed?

Mr. PURNELL. Most of it is burned. Some new machinery has been invented which cuts the stalks down very close to the ground, but most of it is burned and, of course, a great deal of the stalks are plowed under.

Mr. MILLER. Just another question. A great deal of corn in the Central West, used in connection with cattle raising, is what they call shock corn, which is cut up and fed to livestock. Is all of that rubbish cleaned up and are all of the stalks in the fields where that corn is cut eradicated?

Mr. PURNELL. If they are within this particular area that the Department of Agriculture and the State decides to clean up, it is all taken out and burned, plowed under, or otherwise destroyed.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. McLAUGHLIN. In the section the gentleman speaks of is it not found necessary to clean up more than the corn itself? Is it not necessary to destroy the stalk, because these insects, or whatever they are, live in any kind of grain or vegetation that has a hollow stalk, so that they have to be cleaned up in other places than in the corn itself—is not that true?

Mr. PURNELL. It might be interesting to the Members of the House to know that the corn borer will actually attack in the neighborhood of 200 kinds of vegetation, but by a strange coincidence in its make-up it seems to know how to select corn and confines its operations almost exclusively to corn until the corn is gone. Therein lies the threat to other sections of the country. In addition to our great Corn Belt which we are trying to protect, we are constantly under the threat that when this corn borer passes on further, on to the Mississippi, the Ohio, and the Wabash Rivers, it may be carried down even to the sections of the South where cotton is raised. Of course, one stalk of cotton can not hope to carry very long as many corn borers as are frequently found on a stalk of corn. I might say that stalks of corn in the infested area have been found to contain as many as 200 corn borers.

Mr. FLETCHER. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. FLETCHER. Will the gentleman explain why so many farmers are opposed to this appropriation?

Mr. PURNELL. The gentleman from Ohio asks me why so many farmers are opposed to this appropriation, and I will say this: My conviction is that there are not many farmers opposed to it. A few farmers, however, who live in the thinly infested areas along the fringe, who have been called upon to do work that they regard as unnecessary, are objecting. I can see how a man who lives on a thinly infested fringe of this area might not be able to understand and see the wisdom of picking up cornstalks and subjecting himself to certain regulations which are imposed upon him by the Federal and State Governments. But certainly in my section of the country, in Indiana, in Illinois, in Iowa, and in that section where they have no corn borers, the farmers are not opposed to this. They will be very happy, indeed, to have the good folks up in Ohio, in the northeast corner of Indiana, and up in Michigan retard this pest, so that it can not come upon us.

Mr. FLETCHER. May I ask what justification the farmers have for saying that by proper farming they can eradicate the corn borer without this assistance from the State and Federal Governments?

Mr. PURNELL. Well, I will say that some very good farmers came before our committee from the gentleman's own State and stated that by new and improved and clean methods of farming they could take care of this clean-up campaign themselves; but herein lies the danger of that: A half dozen good farmers on the edge of the infested area may carry on a proper clean-up campaign, but their efforts will be wasted if 25 other farmers in the same county who do not believe in it or who are poor farmers will not make a like clean up. Certainly it would not be fair for a few farmers in this infested fringe to properly clean up their farms and have their neighbors on adjoining farms do nothing. That would not result in retarding the spread of the corn borer at all but leave the whole program in a state of chaos.

Mr. THURSTON. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. THURSTON. The map displayed by the Member indicates that there is a large area which is affected in Canada. Will the gentleman explain the extent of the Canadian Government's cooperation in this movement?

Mr. PURNELL. The whole trouble lies in the fact that the Canadian Government did not take hold of this thing in time. When the corn borer first appeared in Canada, for some unknown reason which I am not able to explain, funds were not available from the Canadian Government for a campaign against the corn borer. The result was that it got away from them and their entire corn crop in the area which lies north of Lake Erie was entirely wiped out, and with it went the hog industry. The hog business has absolutely been ruined in that area as well as the corn industry.

Mr. CARSS. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. CARSS. Has the Department of Agriculture worked out a successful method of combating this pest?

Mr. PURNELL. The Department of Agriculture did two things. First, it carried on this clean-up campaign on the edge of the infested areas.

Mr. CARSS. I merely wanted to know if this money is required to carry on further experiments; in other words, are not the efforts which they have made up to date in an experimental state?

Mr. PURNELL. Of course, the whole thing is more or less in an experimental state. Secondly, they are breeding in a number of laboratories pests which they have imported from Europe and which seek out the corn borer and destroy it.

Mr. TUCKER. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. TUCKER. Does this bill provide that officers of the Government can go on a man's farm, if they find this pest there, and require him under this law to clean up?

Mr. PURNELL. The officer gives him an opportunity to do it, and if it is not done by a certain time the Department of Agriculture will do the cleaning itself and charge it up to him.

Mr. BUCHANAN. If the gentleman will permit, that is done, of course, under State authority.

Mr. PURNELL. That is true. That is all done under the State law, but nevertheless it is done. You understand the Federal Government and the State work in cooperation. A maximum of \$2 per acre was paid by the Government when the individual farmer cleaned his own land. If he did not clean it, the Government had to go in and do it under State regulations and charge it up to the land. It could not be done otherwise.

Mr. MEAD. Will the gentleman yield?

Mr. PURNELL. I yield.

Mr. MEAD. One reason I believe this legislation ought to be passed at this time is that the Federal department, I believe the gentleman will agree, is working in harmony with State departments and they have the sympathetic support of the Canadian Government. They are all working together with the local authorities taking the upper hand in the matter and working in conjunction with the Federal Government.

Mr. PURNELL. That is true.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. McLAUGHLIN. I understand the Department of Agriculture is against this appropriation. Will the gentleman tell us how he arrived at a conclusion different from that of the department?

Mr. PURNELL. Yes; I will say the Department of Agriculture is not opposed to this appropriation; in fact, the report which is filed with the bill itself is the report which was prepared by the Department of Agriculture. I did not change a line in it. I will explain to the gentleman why there is an apparent—

Mr. McLAUGHLIN. Was not that their attitude at the time the appropriation bill was brought in by the Committee on Appropriations? There was upward of \$1,000,000 appropriated for work similar to this or, rather, for work which the Department of Agriculture had outlined for itself, and it did not ask for any more money.

Mr. PURNELL. The gentleman is quite right about that.

Mr. McLAUGHLIN. I am not speaking in opposition to the proposition, because I propose to vote for it, but I would like to have the reason for the difference between the gentleman and the department.

Mr. PURNELL. I will be very pleased to tell the gentleman.

Mr. McLAUGHLIN. And the course of reasoning by which the gentleman reached his conclusion.

Mr. PURNELL. The course of reasoning by which I reached my conclusion is that the Department of Agriculture takes the position that this question of paying money to farmers for extra work done in this clean-up campaign is one of policy which should be settled by the Congress itself.

Mr. FLETCHER. Rather than by the State?

Mr. PURNELL. Rather than by the department. In other words, if the Congress feels that we ought to continue for another year this matter of paying individual farmers wages not to exceed \$2 per acre, as was done last year for extra work which they do, that is not incident to their regular farm practice, the result of which is to keep the corn borer out of the Corn Belt and protect those of us in other States and areas who have not got it, and thereby protect the whole Nation, it is a question of policy for the Congress to determine rather than the Department of Agriculture.

Mr. GREEN. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. GREEN. I am anxious to know whether the investigation and experiments along this line have brought out whether or not the corn borer would be stopped by the difference in climate which exists in the Southern States, and whether it could grow and survive our long summers there. The gentleman brought out very well that it would withstand cold even to the freezing point.

Mr. PURNELL. My judgment is that it will withstand heat just as well as it will cold, although I am not prepared to say, and I do not know that experiments have been carried on to that extent. But I do know that this pest will attack more than 200 kinds of vegetation, and that if it once destroys our corn crop and floats down the river, in cornstalks or otherwise, we will have a resulting damage in other areas.

Mr. GREEN. Would a field of corn that was infested in a bad way with this borer be completely ruined, or what would be the percentage of decrease in the yield?

Mr. PURNELL. The yield will decrease in proportion to the increase of the corn borer. It is my understanding that there were a number of fields in the infested area last year that had four or five corn borers to the stalk which had not yet produced commercial damage, but when you proceed above that you reach the stage that was reached in Canada, where they had sometimes as many as 200 in a stalk, until at last the entire area was decimated.

Mr. GREEN. In that case there would be an 80 or 90 per cent decrease in production.

Mr. PURNELL. Yes; I would say from 80 to 90 per cent.

Mr. CARSS. Has the gentleman any figures to show the amount the yield has been lessened by this pest?

Mr. PURNELL. I would say there has been no appreciable commercial damage done in the United States as yet. If a few years ago when this corn borer first came over here—

Mr. SPROUL of Kansas. I was just going to ask if there had been any damage done here.

Mr. PURNELL. I would say no appreciable damage has been done yet.

Mr. CARSS. That is one reason I am for the bill. We want to stop this pest before it does commercial damage.

Mr. PURNELL. And I will say that a few years ago if one-half of \$10,000,000 had been appropriated and as wisely used as the last \$10,000,000 was used we would not have this threat to-day.

Mr. COLE of Iowa and Mr. CHALMERS rose.

Mr. PURNELL. I yield first to the gentleman from Iowa, who, I believe, was on his feet first.

Mr. COLE of Iowa. I simply wanted to answer the inquiry of the gentleman from Florida by stating that in Europe this pest has been found in the warm countries. It grows in the far South, and I think heat would not interfere with its propagation.

Mr. CHALMERS. I want to remind the gentleman that this dangerous pest likes sweet corn particularly and I know personally that there has been commercial loss in raising sweet corn.

Mr. HUDSON. Will the gentleman yield?

Mr. PURNELL. I yield.

Mr. HUDSON. While the gentleman from Indiana stated that there had been no appreciable loss as a commercial prospect, he meant the entire Nation?

Mr. PURNELL. Yes. I am not attempting to speak of separate communities. I was speaking about the appreciable damage to the corn crop of the country as a whole. I say there has been no appreciable damage to the corn crop of the Nation.

Mr. CHALMERS. Except the sweet corn?

Mr. ALMON. The gentleman says it came into the United States from Canada. What did they do about it in Canada?

Mr. PURNELL. I made that statement at the beginning of my remarks. Perhaps the gentleman was not here. They did nothing, for the reason no money was available and no program worked out, and it got away from them.

Mr. ARENTZ. Will the gentleman yield?

Mr. PURNELL. I will.

Mr. ARENTZ. You have colored zones on the map next to Lake Erie. You have a mottled color, then orange, red, blue, and green. If what the gentleman says is true, that there has been no commercial damage, I do not understand why it has not, in view of the fact that the corn borer is already in the red area, and that that has been infested for several years. Has not the corn borer destroyed the growth of corn in that red area?

Mr. PURNELL. It would not destroy it even if it were in the red area since 1925.

Mr. ARENTZ. The gentleman said there had been no commercial damage.

Mr. PURNELL. Not to the whole corn crop of the Nation. I was not alluding to any community or State, but as a national proposition.

Mr. MEAD. Will the gentleman yield?

Mr. PURNELL. I yield.

Mr. MEAD. As one who lives in an infested area, I want to say that the damage there is great. The corn is of no value for sale in hotels or residences, because as soon as they learn that it is infested with the corn borer they do not want it. The housewives do not want it.

Mr. PURNELL. The gentleman speaks of sweet corn?

Mr. MEAD. Yes. The other corn is a loss for the farmer; if he is patriotic he destroys it, so it is a total loss to him. Coming from an infested area, I want to say that the borer occasions a great loss, and if this legislation is not passed it will be a great loss to the Nation.

Mr. GREEN. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. GREEN. The gentleman has brought out the facts in the case in a very interesting way. Now, as a member of the Agricultural Committee, I hope that his committee in the course of time, when we present a little matter for relief of the pecan industry, will carefully consider it.

Mr. PURNELL. I think the gentleman will agree that the Agricultural Committee of the House is not sectional when it comes to considering and reporting bills. We have tried to regard agriculture and every phase of it as a matter of national concern and not as a local or sectional problem.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. PURNELL. I yield.

Mr. SUMMERS of Washington. The statement has been made that this borer affects the ear of the corn. That is a mistake. That is a different worm. I want to call the atten-

tion of the gentleman from New York to the fact that this worm does not affect the ear but affects the stalk.

Mr. PURNELL. I am not so sure about that. I want to say to the gentleman from Washington, it enters the stalk of corn first, but I would not say that it does not affect the ear. I confess I have not gone into that subject very fully.

Mr. HUDSON. If we had samples here on the desk you would readily see that the corn borer deprives the ear of nutrient, and the ear does suffer because the stalk is destroyed.

Mr. PURNELL. Mr. Chairman, I reserve the balance of my time.

Mr. SUMMERS of Washington. Mr. Chairman, I yield to myself 15 minutes. Mr. Chairman and gentlemen, let me make this statement to begin with. I recognize that corn is the great agricultural crop of the United States, and if this were a question of appropriating \$50,000,000 to save the corn growers of the United States from a real menace I should be for the bill.

I want to discuss the European corn borer on the authority of Doctor Marlatt, head of the Bureau of Entomology in the Department of Agriculture. He says that the European corn borer is doing little damage in Europe and only in certain circumscribed parts of that continent. It came to this country in broom corn 19 years ago. There were four points of infestation—one near Boston, two in New York, and one over in Canada. So it had 19 years the start of the scientists.

We began one year ago to try to control it, so that for 18 years it had its way. Over in Canada they grow corn year after year without any clean-up system, so that it became a real menace there; and so it will become any place where they grow corn year after year and do not cut the corn for the silo, burn the stalks, or plow them under. When they do that, the testimony before the subcommittee on agricultural appropriations is to the effect that it does not do any commercial damage. It has done some commercial damage up in Canada, because they do not farm there as we do down in the States. It was also revealed in the testimony that this corn borer belongs in ground with a high water table. That is, wet ground, so in the low, rather swampy ground in the neighborhood of Boston it did considerable damage. It has never done any damage in the State of New York to amount to anything, according to the department of agriculture of that State.

When this corn-borer problem came to my knowledge last year I was frightened. I thought that the greatest farm industry of the United States, the corn-growing industry, was menaced. I readily voted for the \$10,000,000 appropriation and I would vote for \$50,000,000 to-day if it were a necessity, if it were important, but I want you to know what the men who have been administering the law down in the Department of Agriculture, and the men who will administer it if we authorize this appropriation and it is finally made, have to say. The testimony is rather voluminous. I have been able only to pick out a few statements in this limited time, and I shall quote some expressions which I think will give you a good general idea of their attitude. I might say that the attitude of the scientists in the department, either in the record or out of the record, I am not sure which, but as expressed in our committee room was to the effect that they did not expect any sum of this kind for continued clean-up work over the United States, but that they were well pleased with the work that they had done last year, as a demonstration to the farmer as to how the work should be done, and in the agricultural appropriation bill we are carrying something over \$1,000,000 for continuing the investigational and quarantine and scout work, and so forth.

Mr. PURNELL. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes; I yield.

Mr. PURNELL. We are not carrying anything, however, in that bill for reimbursement to the farmer.

Mr. SUMMERS of Washington. No.

Mr. PURNELL. That is the purpose of this bill.

The research work in the Department of Agriculture should be regularly done and carried on. This is a question of whether or not we will reimburse the farmer, as was done last year, for labor performed.

Mr. SUMMERS of Washington. If there was a menace to the industry, we would be justified in going to almost any length in my opinion, but I expect to prove to you by the scientific men in that department that you do not have such a menace, and it is for each and every Member of Congress to decide whether or not we should make this authorization.

I am appearing here in opposition, because so much of this came out in the hearings before the subcommittee of which I am a member, and not because I am hostile or anything of the kind. I think you gentlemen are entitled to the information which I hope to give to you.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. HUDSON. Does the gentleman infer that the department does not consider this a menace to the corn growing of the Nation?

Mr. SUMMERS of Washington. If we were to farm as they do in Canada it would be.

Mr. HUDSON. What does the department mean when it uses the following language:

This is an effort to retard the spread of an insect pest that is generally believed to constitute a menace to the corn crop of the country.

Mr. SUMMERS of Washington. It is generally so considered, but that belief is not justified by the facts.

Mr. THURSTON. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes. I yield to the gentleman from Iowa.

Mr. THURSTON. The gentleman stated that if we were to pursue the same policy in the Corn Belt that has been pursued in Canada a great loss would occur.

Mr. SUMMERS of Washington. Yes.

Mr. THURSTON. And the gentleman also stated that they do clean up in the Mississippi Valley and burn their cornstalks?

Mr. SUMMERS of Washington. Yes; that is quite common in Indiana, the State where I was born and used to farm, and in Illinois, where I lived for many years.

Mr. THURSTON. I say it would be a rare instance to travel around over the State of Iowa and find that a corn shock or cornstalks had been burned. We plow under those cornstalks as a fertilizer, or if we do not do that we put them in the silo for silage. We utilize the cornstalks, and in no instance do we burn them.

Mr. SUMMERS of Washington. I am very glad that the gentleman brought that to my attention. There are two ways of getting rid of the corn borer. One is to in some way destroy the cornstalks, either use them for silage or burn them in order to simply get rid of them. That is a very common practice in Illinois. The other way is to plow them under. Those are the ways to get rid of the corn borer.

Mr. CARSS. Does that kill the corn borer?

Mr. SUMMERS of Washington. He dies in the course of time if plowed under.

Mr. CARSS. Would he survive the winter and come up again?

Mr. SUMMERS of Washington. You would have to keep him under for several months.

Mr. HUDSON. You have to plow him under pretty deep. Light plowing would not do it.

Mr. SUMMERS of Washington. It does not make any difference, so long as the stalks are covered, according to the testimony that has been given.

Mr. CARSS. What do the department experts say in regard to killing the borer? Do they claim that plowing under will destroy it?

Mr. SUMMERS of Washington. Yes; by plowing and by burning; either method.

Mr. CARSS. If they are plowed under, are they destroyed?

Mr. SUMMERS of Washington. Yes. When you plow them under they are destroyed.

Mr. THURSTON. I understand that when they plow them under only part of them are destroyed.

Mr. SUMMERS of Washington. Money is already provided in the appropriation bill for the prevention of the spread of the European corn borer, the enforcement of the quarantine, and the clean-up of heavily infested areas in order to prevent the further long-distance spread of this insect; \$1,257,580 that is recommended for all research and regulatory work together, there being an item of \$150,000 for miscellaneous work. Again, Doctor Marlatt says:

The department does not believe that, merely as a demonstration of the value of clean-up, such expenditures are warranted.

This refers to such a sum as we are now considering.

In this clean-up campaign last year these are some of the expenditures that were made:

| | |
|--------------------------------------|----------------|
| Personal services | \$1,318,029.05 |
| Supplies and materials | 340,722.98 |
| Communication | 6,194.85 |
| Travel expense | 105,063.02 |
| Repairs and alterations of buildings | 50,474.96 |
| Reimbursement to farmers | 4,213,990.46 |
| 848 trucks | 749,101.17 |
| 75 coupes and 9 sedans | 52,050.00 |
| Oil-burning apparatus | 481,552.00 |
| 1,240 tractors | 740,041.76 |

Miscellaneous field equipment are these:

| | |
|---------------------------|---------|
| Corn binders, low cutting | 27 |
| Ensilage cutters | 3 |
| Oil hose | 3,750 |
| Oil hose, pressure | 138,000 |

| | |
|--------------------------|-----|
| Oil-burning carriages | 200 |
| Plows, tractor, 3-gang | 450 |
| Stubble pulverizers | 800 |
| Tractor and plow skids | 195 |
| Trailers, 2-wheel | 25 |
| Trailers, 4-wheel, 5-ton | 64 |

Total, \$302,103.36.

Total for major items, \$2,324,848.29.

Mr. CARSS. I see the largest item mentioned in this report is \$4,261,000 for reimbursement to the farmer. That is the largest single item of expenditure?

Mr. SUMMERS of Washington. Yes. That is for reimbursement.

Mr. CARSS. That is to induce the farmers to cooperate in stamping out this pest. You have already got the equipment, but it will be necessary to reimburse the farmers in cooperating with the Government and stamping out this pest. I think that shows the necessity of this appropriation.

Mr. SUMMERS of Washington. Some of the infested territory has been infested for 19 years. Quoting again from Doctor Marlatt, I read:

We have, therefore, as to the centers of these infestations, a period of 19 years of opportunity for the corn borer. Taking up the various points of infestation in the United States, the records indicate that actual damage has resulted in only a very trifling percentage of the areas now covered, and such damage has apparently been limited to peculiar soil conditions described, perhaps somewhat generally and perhaps not altogether adequately, as concerned with a high-water table. In the New England area, for example, noticeable or appreciable crop damage has been limited to a very small portion of the area infested.

Again, he says:

In other words, for the most part to low areas, much of it marshy and with high-water table within a short radius of the city of Boston. The general spread throughout a great portion of New England involving portions of Maine, New Hampshire, Connecticut, and Rhode Island has been characterized by no important or appreciable damage. In the eastern New York area spreading out from Schenectady there has been no real damage of any type, as I was recently advised by the director of agriculture of that State, and over a good deal of this area the corn borer has been present for a good many years and in the center of the area for 19 years. As to the western area, including western New York, Pennsylvania, Ohio, Indiana, and Michigan, the appreciable damage is limited to a very narrow strip along Lake Erie and Lake Michigan, all within 5 miles of the lake. This is the hopeful phase of the situation. In presenting this situation as to areas which have been infested for some time without loss to the farmer, I do not mean to give the impression that if the borer continues there will be no damage.

It is possible that in southern Indiana and Illinois we may have heavy damage. The department does not believe that this insect presents a negligible problem. We believe that it is a very important pest, so important that we have asked twice as much money for combating it as we have asked in the case of any other insect, and we think that the sum we ask is reasonable and legitimate under the present circumstances.

And that amount, \$1,250,000, is all included in the appropriation bill. He says that is what they think is necessary.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. ARENTZ. You answered the question asked of the gentleman from Indiana [Mr. PURNELL] as to the area of infestation. It is possible, covering the blue and red areas on the map, that thousands of square miles will be covered. Has the borer been doing particular damage in that area of a thousand square miles?

Mr. SUMMERS of Washington. No; it has not. I have been giving you the testimony of the man in whose bureau this is administered. The only place where the damage has been of any great consequence is down around the lake here [indicating] and a little here [indicating].

Mr. HUDSON. Will not the gentleman concede that that might be true at this time, but he says it is such a pest to these other areas that he has asked more than he ever asked before.

Mr. SUMMERS of Washington. Yes; and that has been appropriated. That has no reference to this bill. This bill was introduced on April 2 and reported out on April 6. I tried to get hold of a copy of the hearings, but I find that for some reason or other the committee hearings are not available. They are not in print. But I understand neither the Department of Agriculture nor the Budget recommends this bill.

Mr. W. T. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. W. T. FITZGERALD. How far south has the borer proceeded?

Mr. SUMMERS of Washington. If this map is correct—and I think it was made by the department—

Mr. W. T. FITZGERALD. How far down does that go?

Mr. SUMMERS of Washington. It extended a little more than halfway from north to south through Ohio.

Mr. HUDSON. Mr. Chairman, will the gentleman yield there?

Mr. SUMMERS of Washington. Yes.

Mr. HUDSON. In regard to the menace and this appropriation, which he says the department thinks is necessary to curb the menace, that makes provision for the farmers' help in the eradication. This is for the farmers' help? That was for the department?

Mr. SUMMERS of Washington. Again we asked:

You have had the corn borer for 18 years?

Doctor Woods. Yes, sir.

Now, please listen to this, if you will:

How much damage was done by the corn borer last year?

This is Doctor Woods, the head scientist of the Department of Agriculture.

Practically none in the United States.

Now, gentlemen, I do not want you to get the wrong viewpoint. If this is something that is necessary, I want it just as much as my friend PURNELL, but the testimony which came before my committee does not indicate that this appropriation is justifiable, in my opinion, and I am presenting the facts in order that you may judge for yourselves.

Mr. PURNELL. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. PURNELL. There never came before your committee that great body of high-class representative farmers from Ohio, Indiana, and Michigan who appeared before the Agricultural Committee in support of the bill.

Mr. SUMMERS of Washington. There was a large delegation that came from those three States.

Mr. PURNELL. I will state that probably the gentleman's judgment has been warped by reason of the fact that a delegation came from the State of Ohio opposing this legislation.

Mr. SUMMERS of Washington. They were very much opposing it, and they were all corn growers.

Mr. PURNELL. And we had them before our committee.

Mr. SUMMERS of Washington. But at that time I was opposed to the attitude of the visiting committee, and I only took a different attitude after I had heard all that the scientific men had to say. Will the gentleman at this point tell us why we could not have the committee hearings, so that we might have the advantage of the information given to the gentleman's committee? I am intensely interested in this matter.

Mr. PURNELL. I am sorry they are not available, because I am satisfied they would give the gentleman a lot of information that he seems to be lacking relative to this appropriation.

Mr. SUMMERS of Washington. At least, the corn borer does not get up into the ear of the corn.

Mr. PURNELL. I am not so sure about that.

Mr. ADKINS. If the gentleman will come to my office I will show him one.

Mr. PURNELL. I will say to the gentleman that the reason the hearings are not available is that they have not been corrected and are not printed.

Mr. SUMMERS of Washington. I know they are not printed, though almost two weeks have elapsed.

Mr. MURPHY. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. MURPHY. I would like to ask the gentleman what the complaint of the farmers from northwestern Ohio was before his committee or the Agricultural Committee with reference to the corn-borer campaign in Ohio?

Mr. SUMMERS of Washington. I do not know what part of the State of Ohio it came from, but there was a large committee of farmers, of corn growers from the State of Ohio that came before the Agricultural Appropriations Committee. After learning their grievance we referred them on over to the Agricultural Committee. But they objected to the way the law was administered, that they could solve the problem themselves, that it was not a menace, that it was not damaging, and that the clean-up had been handled in a very high-handed and disagreeable fashion. That was their complaint.

Mr. MURPHY. Then, the objection that came from northwestern Ohio was largely one of administration? Is that the gentleman's judgment?

Mr. SUMMERS of Washington. Well, they objected, and the committee from Michigan, too, to the method of administration, and they also insisted and the department itself says it is a problem that the farmer himself must finally take care of.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. SUMMERS of Washington. Mr. Chairman, I yield myself five additional minutes.

Mr. ASWELL. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. ASWELL. Does the gentleman know that the committee from Putnam County, Ohio, which came from his committee to the Committee on Agriculture, announced with a great deal of pride that that committee was a political committee pure and simple, and nothing else?

Mr. SUMMERS of Washington. That they themselves were a political committee?

Mr. ASWELL. They announced that they were a political committee pure and simple, and nothing else.

Mr. SUMMERS of Washington. I did not know that.

Mr. MURPHY. Will the gentleman say what he means by a political committee?

Mr. ASWELL. You will have to ask the chairman about that. I mean the chairman of that committee from Putnam County.

Mr. MURPHY. He said it was a political committee?

Mr. ASWELL. That it was a political organization; that he was the head of it, and that it had controlled a million votes in the last election.

Mr. MURPHY. Was he against the corn borer?

Mr. ASWELL. Well, he attempted to make capital out of this fight, saying that he wanted economy in the country, and that he had controlled a million votes in the last election.

Mr. SUMMERS of Washington. Does that apply to the Representative from Michigan who was with that committee?

Mr. ASWELL. He might have been along. If he was with the Putnam County man, he was there I am sure. Now, does the gentleman from Washington grow corn in his country?

Mr. SUMMERS of Washington. We do not grow much corn out in the State of Washington, but I am interested in Illinois, in Indiana, and in the corn sections because my beloveds live there.

Mr. ASWELL. Then it seems to me the gentleman should be interested in checking the corn borer.

Mr. SUMMERS of Washington. It is stated in our hearings at more than one place that nobody in the United States who is familiar with the subject believes it can be checked; that it is going to spread over the country, but by clean farming it can be prevented from doing damage.

Mr. ASWELL. That is not at all in harmony with the evidence before our committee.

Mr. SUMMERS of Washington. That is why I so much regret we have not those hearings.

Mr. ASWELL. I am sorry for the gentleman's sake the hearings have not been printed.

Mr. SUMMERS of Washington. I am presenting just what was presented by the department before my committee.

Mr. ADKINS. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. ADKINS. Does not the gentleman know that down in our country where the gentleman used to live—

Mr. SUMMERS of Washington. Yes; we were neighbors.

Mr. ADKINS (continuing). Our people do not expect to participate in this appropriation. We have \$200,000 available with the machinery all ready set up, so that when the corn borer comes over there we will be able to handle it. There was one little place in Kankakee County where they did handle it, and the reason there was no particular commercial damage done was because of the curtailing of this evil. We are perfectly willing, and our people are anxious, to have the Federal Government meet the situation in Ohio, Indiana, and Michigan, so that they can with a reasonable amount of good cultivation, keep the corn borer down below commercial damage. We appreciate the fact that where it has a big hold it is beyond what ought to be expected of the individual farmer to ask him to go out and put this additional work upon himself in order to keep down the pest. We are willing to pay for that extra work and that is all this appropriation is for. I know the trouble the department has in enforcing anything of this sort. We had the same difficulty in respect of the foot-and-mouth disease. The men do not like the idea of their coming in and handling the work and I can see how the department would be very glad to keep out of that feature of it; but if they will keep it down or get it in such condition that the farmers can control it under State control so that it will be handled without a big burden on the farmers, we are willing to take care of our situation unless they let it spread so that they come over in such great swarms it gets beyond our control, and if this does happen, \$7,000,000 will look like a bagatelle in comparison with the damage that I know personally it does, because I inspected the fields in Massachusetts and New

York in 1919 and know that they did have commercial damage there.

Mr. SUMMERS of Washington. The borer has been here for some years and all I know is the testimony given by the men in the department.

Mr. ADKINS. Did the other group of farmers who came down here advocating this measure come before the gentleman's committee?

Mr. SUMMERS of Washington. No; and the gentleman understands I am not quoting from them. I am simply undertaking to give the viewpoint of the Department of Agriculture in regard to this matter. There was something like \$4,000,000 expended in repayments to the farmers themselves last year. Does the gentleman understand there is going to be nearly twice as big a clean-up this year and that they will need nearly twice as much money for that purpose?

Mr. ADKINS. Yes; the area is larger and they will have to cover more ground.

Mr. SUMMERS of Washington. Then you are going to change the plan because the department had in mind looking after the border line when it appeared before my committee.

Mr. ADKINS. Yes; I understand very fully what the department has in mind because we had them before the committee for two days, and with the amount of machinery and set-up which they have they will have to use the same force for a short period of time in order to do the work.

The CHAIRMAN. The time of the gentleman from Washington has expired.

The Clerk read the bill for amendment.

Mr. HOGG. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Hogg: Page 2, line 14, after the word "control," insert "and provided, that no part of this amount shall be paid as wages to any inspector who is not a resident farmer of the county wherein he is employed and who shall have tilled and operated a farm for 10 years."

Mr. HOGG. Mr. Chairman and members of the committee, the amendment which I have just introduced is one that deserves your careful consideration. From the argument you have just heard you have little or no idea of the disturbance which the administration of this law caused in Indiana and northern Ohio last year. The district which I represent is located in northeastern Indiana.

The inspectors are not the scientific men of the organization, but they are those who go about the farms and check the clean-up work done by the farmer. It is a matter of irritation to most farmers to have real young men tell them that their work has not been done satisfactorily.

My amendment provides that these inspectors shall be men residing in the county where their work is done, who shall have tilled and operated a farm for 10 years. In this way the farmers of the community will have a fair share in the administration of the law. As it is the farmers feel they are imposed upon by the Department of Agriculture, and I am here to tell you they have a right to have the conclusion they hold.

The administration of this law requires a sound discretion and mature judgment.

Mr. ASWELL. In that case the natives would have control—that is, the neighborhood would, would it not?

Mr. HOGG. They would not, because inspectors are subject to the jurisdiction of the Department of Agriculture.

Mr. ASWELL. These inspectors go around and determine whether the work is well done or not.

Mr. HOGG. It may be that way in your State.

Mr. ASWELL. We do not have corn borers in my State.

Mr. HOGG. In a county in my district a man offered a reward of \$500 in cash if anyone would bring him a corn borer, and he still has his money.

Mr. PURNELL. The gentleman does not mean to say that he offered a reward for a corn borer to be brought from anywhere?

Mr. HOGG. No; in Whitney County.

Mr. PURNELL. That is a thinly infested area.

Mr. HOGG. It is in the blue area on the gentleman's map.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. HOGG. I yield to the gentleman.

Mr. CHINDBLOM. The gentleman said a moment ago that young men compelled the farmer to go back and pick up cornstalks. Were those infested with the borer?

Mr. HOGG. Decidedly not. The department has since ruled that it will not insist on the same enforcement of the law that it did the last year, in that it does not think that such strict enforcement is at all necessary.

Mr. CHINDBLOM. But last year that was the rule when the young men were enforcing the regulations?

Mr. HOGG. Yes; but farmer inspectors would have used more deliberate judgment.

I am only pleading for moderation in enforcing the law, not that the farmers are not willing to obey instructions, but they want men of mature judgment for inspectors.

Mr. ADKINS. Will the gentleman yield there? Do you propose to go into the township where you are cleaning up and have the neighbors for inspectors?

Mr. HOGG. Certainly not. The need is that the inspectors shall be mature farmers.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. HOGG. Yes.

Mr. SUMMERS of Washington. From the testimony I heard I think this is a very important and necessary amendment. It is the best part of the law and I shall support it. I do believe that this law in the Corn Belt is about as popular as prohibition would be in John Phillip Hill's district, if not more.

Mr. HOGG. Much of the money appropriated last year was wasted. Of the present amount, 90 per cent is certain to get to the farmer. I ask your support to qualify the inspectors as set out in the amendment. [Applause.]

Mr. ADKINS. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman and gentlemen of the committee, I have no doubt but that the law-enforcement officers encounter about the same sort of opposition that you encounter when you have any kind of trouble in the neighborhood of this kind.

Mr. BOX. Will the gentleman yield?

Mr. ADKINS. Certainly.

Mr. BOX. Whether or not the Department of Agriculture recommends this measure of relief?

Mr. ADKINS. I do not understand that it does. The foot-and-mouth disease encountered the same thing in the community, where we had some level-headed fellows; we took the matter up in our own county, and that was the case. They came to my farm and we talked it over. There was not a dollar in sight. They said we do not know about this. I said, Now, look here, there is no nation that has ever cleaned up the foot-and-mouth disease. This Nation will clean it up; let them drive them into the pit and shoot them down, that I was sure that the Federal or State authorities are not going to permit any citizen to have his property destroyed for the good of all without reimbursing him.

In some communities where it was not talked over they had that sort of trouble. Inspectors came and they had the same trouble that you did in your community. In a matter of this kind you do have inspectors who do not know their job and go on a man's farm and get in trouble with him unnecessarily; I had charge of some, and they gave a lot of trouble sometimes. There is no doubt that last year mistakes were made. But you take men really interested and progressive, men that want to get rid of these things, let them come down and tell their story—I am sorry the hearings have not been published. I think it would be unfortunate to pass an amendment of this sort. I think the experience we had last year in cleaning this up demonstrates where the weaknesses are.

Mr. HOGG. Will the gentleman yield?

Mr. ADKINS. Yes.

Mr. HOGG. Would the gentleman prefer to have a college inspector, a student 21 or 22 years old, or to have a native farmer?

Mr. ADKINS. That would depend upon the kind of farmer he was. The kind of farmer that I would want would be too busy to go off and fool around with a job of that kind.

Mr. HOGG. Is the gentleman speaking of farmers in Illinois?

Mr. ADKINS. Yes; and in any other locality. I have been over in the gentleman's State. I have farmed in Ohio. We have good farmers and poor farmers everywhere. I am not justifying the poor farmer any more than I am the poor business man. I know from personal experience as the head of a department in my State that where you tie a department up with a lot of details of this sort you just hinder their work. I find that the men in all of these departments are very reasonable.

Their whole thought is to try to do the work as satisfactorily as possible. I appreciate the position of my friend from Indiana [Mr. Hogg]. He has some fellows in his district who are very much wrought up about this. They do not appreciate the fact that the Government is coming in and paying for the work that they have to do, that they would not otherwise have to do, and put their crops out for the protection of the whole country. The people in Illinois are willing to do that. You have to take it for granted that the men in each administrative office of the Government have common sense. Here is a new thing. They had to go out in a hurry and clean up, and it is too much to

expect of human nature not to find some who did not perform this perfectly.

Mr. HOGG. Is it good common sense to pay inspectors \$2,000,000 to deal out \$4,000,000 to farmers?

Mr. ADKINS. Does the gentleman know how many inspectors were required for this short time?

Mr. HOGG. I do not. I know that there were ten times the number there that were required.

Mr. ADKINS. They had to have enough to go over the ground. You might as well not spend any money as to not do it thoroughly.

Mr. LAGUARDIA. The gentleman will remember that when we had the first corn borer bill up before the House we authorized an appropriation of \$10,000,000.

Mr. ADKINS. Yes.

Mr. LAGUARDIA. There was a great deal of anxiety at the time. We were told that they needed this money to eradicate the corn borer.

Mr. ADKINS. Oh, we can not eradicate it. We can cut it down so that it can be controlled so as not to cause any commercial damage.

Mr. LAGUARDIA. Well, in any event we appropriated \$10,000,000. Outside of obtaining a card index for each corn borer, did the department accomplish anything?

Mr. ADKINS. Oh, yes.

Mr. LAGUARDIA. What?

Mr. ADKINS. Of course, they accomplished something. They reduced the ravages in most of the communities by reason of eradicating it to such an extent that it did not do any commercial damage. If you let a 10 per cent infection get in, you have a very severe damage to your crop. If you gentlemen had appropriated \$2,000,000 in 1919, as we recommended you to do, and had taken the matter up where it originated, around Schenectady, N. Y., and around Boston, we would never have had to appropriate the \$10,000,000, because we would have gotten it in such shape there that the farmers could have controlled it.

Mr. LAGUARDIA. Did it decrease the amount of the corn crop?

Mr. ADKINS. The borer will decrease it.

Mr. LAGUARDIA. Did it?

Mr. ADKINS. Yes; where it had been neglected.

Mr. LAGUARDIA. And yet we still have a surplus?

Mr. ADKINS. Yes.

Mr. LAGUARDIA. Then it seems to me that nature wants to be kind to us in permitting us to have a surplus under the circumstances.

Mr. ADKINS. Does the gentleman not know that the surplus is the salvation of his people?

Mr. LAGUARDIA. I understand that.

Mr. ADKINS. We hope that we will always have a surplus. I hope that this amendment will not prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. Hogg) there were—ayes 20, noes 38.

So the amendment was rejected.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. KETCHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12632, to provide for the eradication or control of the European corn borer, and had directed him to report the same back to the House with the recommendation that it do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

BEAR RIVER MIGRATORY-BIRD REFUGE

Mr. HAUGEN. Mr. Speaker, I call up the bill S. 3194, to establish the Bear River migratory-bird refuge.

The SPEAKER. The gentleman from Iowa calls up the bill S. 3194, which bill is on the Union Calendar.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I object.

The SPEAKER. Objection is heard. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 3194. The gentleman from Michigan, Mr. KETCHAM, will please take the chair.

Whereupon the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. KETCHAM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 3194, which the Clerk will report by title.

The Clerk read as follows:

A bill (S. 3194) to establish the Bear River migratory-bird refuge.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Utah [Mr. COLTON].

The CHAIRMAN. The gentleman from Utah is recognized for 15 minutes.

Mr. COLTON. Mr. Chairman and gentlemen of the committee, if I may have your attention for just a few moments I think I can make plain the purposes of this bill by reading a part of the letter of the Secretary of Agriculture in making his report upon the measure. He says:

The Bear River marshes, extending about Bear River Bay, in Utah, comprise the greatest area of this character in the Rocky Mountain region and form the gathering place for millions of wild fowl, such as ducks and geese, during the north and south migrations. During each breeding season vast numbers of wild fowl rear their young in this area.

Of recent years, owing to the scanty rainfall and the diversion of water for irrigation purposes from Bear River and other streams tributary to the marshes in that district, the shallow waters in many parts of these marshes during the summer and fall of each year become concentrated solutions of alkali. The myriads of ducks, geese, shore birds, and other species which frequent these waters are poisoned by the concentration of alkali and perish in enormous numbers. It is estimated that in the last few years not less than 7,000,000 ducks alone have thus perished in this area.

If there ever was a conservation measure for the preservation of wild life, I am sure that this is the one. As stated in the letter of the Secretary, this is a central location where these wild birds gather, particularly in the summer and fall. It is a great breeding place, and a great place for these birds to rest on their trips from the north to the south and from the south to the north. Whenever the rainfall is scanty or by reason of diversion of the water from the Bear River, large pools of strong alkaline water form, and these birds, having no other place to feed or nest, go into this impure water and immediately become sick and die. As stated by the Secretary of Agriculture, it is estimated that 7,000,000 of these birds have been destroyed in this way during the last few years.

This appropriation calls for \$350,000, and not more than \$50,000 is to be used in the purchase of land. The other \$300,000 of it is to be used in diking the pure water at the mouth of the Bear River, which will furnish a secure refuge for the birds.

Mr. NEWTON. Mr. Chairman, will the gentleman yield?

Mr. COLTON. Yes.

Mr. NEWTON. Will this be a protected reserve, so that no hunting will be allowed in it?

Mr. COLTON. No; not entirely. The action of the Senate left that matter in the hands of the Secretary of Agriculture. The committee has amended so that at least 60 per cent shall be held at all times as an inviolate sanctuary. The reasons for that are twofold. The representatives of the department feel that they ought to have some little discretion, because of robber birds that might infest this section; and there might be a time when the food on the sanctuary would not be sufficient for the birds that come. But even as to the 40 per cent, the matter is left to the discretion of the Secretary. Then it would be unfair to the people not to permit hunting at any time.

Mr. NEWTON. But there is an absolute prohibition unless the Secretary makes the regulation?

Mr. COLTON. Yes; and he can not permit hunting at any time on more than 40 per cent of the sanctuary. Let me read a little further:

The Bureau of Biological Survey of this department has had numbered aluminum bands placed on more than 2,000 ducks in this area in order to determine the points to which they go when forced out of these marshes on the approach of winter. Large numbers of these banded birds have been taken in nine other surrounding Rocky Mountain and Pacific Coast States, particularly in the State of California, to which they go to winter in larger numbers than to any other State. It is thus conclusively shown by these banding operations that the Bear River marshes form a distributing center supplying migratory wild fowl to all the surrounding region.

The tremendous losses of these birds from alkaline poisoning have already alarmingly decreased the supply of migratory wild fowl in that entire region and threaten, if not remedied, to practically exterminate them, thus destroying a valuable food product and putting an end to wild-fowl hunting in all that region. The decrease of the birds has become so alarming within the past few years that there appears urgent need of the earliest possible action to end this drain on the valuable bird life of the West if it is to be saved.

In its treaty with Great Britain for the protection of migratory birds which live part of the year in the United States and part in Canada, the United States has assumed the responsibility of affording these birds reasonable protection while in this country. It appears, therefore, that to permit them to perish in untold numbers on these marshes without taking steps by the building of dikes and other methods to remedy the situation would be to neglect our plain duty and would directly affect the supply of birds in which Canada as well as the United States has a definite interest.

The building of the dikes and other improvements necessary to store waste fresh waters, now flowing into Salt Lake, for the purpose of flooding Bear River marshes would eliminate the death areas there, and afford a breeding ground for very great numbers of ducks and geese. Instead of a death trap the area would become a supply point for the surrounding region, producing vastly increased numbers of wild fowl on a great scale. The importance of diking has been shown on the Bear River Club grounds, where such dikes holding fresh water have resulted in greatly increased nesting and production of wild fowl.

The losses of ducks in this region through alkaline poisoning occur during the summer and fall. In order that the losses may be eliminated so far as possible during the coming season, work should be undertaken with the least possible delay.

During the past summer, with the cooperation of the Associated Sportsmen of California, an engineer of the Bureau of Public Roads made an engineering study of conditions at Bear River Bay, and his report shows that the project is entirely feasible. On the basis of the detailed information furnished in the report, actual construction work should be undertaken promptly.

The engineer's report indicates that \$350,000 would cover the cost of the development of a great bird refuge in the Bear River Bay region. This would include the delta proper and provide for impounding fresh water over the broad marginal flats, relieving the conditions that have led to the death of millions of birds during past seasons through alkaline poisoning. The area which it is estimated can be included in this project at a cost of \$350,000 is 44,400 acres.

The engineer's report directs attention to the possibility of including additional areas suitable for the development of a still greater refuge in this locality. In addition to the acreage already mentioned, he refers to an important adjacent area lying at a slightly higher elevation than the broad marginal flats of the more limited project, which, if included, would add 10,000 acres to the refuge at an approximate cost of \$150,000. This cost would cover the construction of river-control works and other necessary improvements as well as the purchase of certain privately owned lands of great value as feeding and breeding grounds for waterfowl.

The detailed report of the engineer directs attention to the possibility of including still other suitable lands available for refuge purposes in the vicinity of Bear River Bay which, added to the above-mentioned projects, would embrace a total area of 82,900 acres, at a total estimated cost of \$617,400.

There are some other interesting things disclosed in this report of the Secretary of Agriculture, but it is getting so late that I shall not detain the committee longer. With reference to the land, a subject which has been taken up somewhat and debated generally this afternoon while we were considering another bill, the Government owns practically all the area in the proposed refuge with the exception of about 12,000 acres. The State of Utah has already ceded to the Government its lands within the area. There are about 12,000 acres in the area that will belong, when the survey is completed, to a railroad company as part of its grant. We have their offer that they will sell this land for \$1.25 an acre, and there will be no trouble in securing title to the land as we have the railroad offer to sell for \$1.25 an acre. It is felt that \$50,000 will be ample and perhaps more than will be necessary to procure title to all the land that will be inundated, and practically all of the money will be used for the purpose of providing fresh water and feeding places for these birds in this locality.

Now, Mr. Chairman, unless there is further question, I do not care to detain the committee longer.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield there?

Mr. COLTON. Certainly.

Mr. KINCHELOE. As to the 60-40 per cent proposition, 60 per cent is to be preserved inviolate?

Mr. COLTON. Yes; inviolate.

Mr. KINCHELOE. This 60 per cent to be inviolate will be in the same territory, will it not?

Mr. COLTON. It may or may not be, as the Secretary may determine. It is the same amendment that I brought to the gentleman's office. My understanding is that he may change the area. I can assure the gentleman that I can see no objection to having it that way, because the food on 60 per cent might become scarce and it might be necessary to transfer the sanctuary to the other area, where the seed is more plentiful.

Mr. KINCHELOE. My idea is that if you leave it to the discretion of the Secretary to change the territory whenever he sees fit, then there will be nothing inviolate about it.

Mr. COLTON. Yes; there would be 60 per cent inviolate at all times. You see, those birds do not remain there during the entire year; they remain there only during the late summer and early fall of each year. I will say to the gentleman that this area covers such a wide strip of territory that even if there were shooting on one part of the refuge the birds would not be disturbed on the other part at all, because it covers such a large area of ground.

Mr. KINCHELOE. And the ratio would remain the same at all times?

Mr. COLTON. Absolutely. I am sure we will have one of the best bird refuges in the United States when the work contemplated is completed.

The CHAIRMAN. Without objection, the Clerk will read the committee amendment instead of the bill.

There was no objection.

The Clerk read as follows:

SEC. 5. That no person shall take, injure, or disturb any bird, or nest or egg thereof, or injure or destroy any notice, signboard, fence, dike, ditch, dam, spillway, improvement, or other property of the United States on any area acquired or received under this act, or remove therefrom or cut, burn, injure, or destroy any grass or other natural growth thereon, or enter, use, or occupy the refuge for any purpose, except in accordance with regulations prescribed by the Secretary of Agriculture: *Provided*, That at no time shall less than 60 per cent of the total acreage of the said refuge be maintained as an inviolate sanctuary for such migratory birds.

Mr. WELSH of Pennsylvania. Mr. Chairman, I offer an amendment to section 5. At the end of section 5 I want to insert a proviso to the effect that no gunning or hunting shall be permitted under the provisions of this act unless, in the judgment of the Secretary of Agriculture, such permission to hunt or gun is necessary in order to protect the wild life for which this reservation is made a sanctuary.

Mr. COLTON. Will the gentleman yield?

Mr. WELSH of Pennsylvania. Yes.

Mr. COLTON. That is the bill now.

Mr. WELSH of Pennsylvania. No; I do not think that is the bill.

Mr. COLTON. Yes. It is left to the discretion of the Secretary of Agriculture as to the 40 per cent and 60 per cent of this is inviolate as a sanctuary for all time.

Mr. WELSH of Pennsylvania. If the gentleman will show me where in this bill there is any such provision as the gentleman suggests, I will withdraw my amendment, but there is nothing in this bill covering the point I wish to include in the bill.

Mr. COLTON. I think I can show it to the gentleman. That was gone over thoroughly in the committee and that is the provision of the bill, that it is left to the discretion of the Secretary as to the 40 per cent.

Mr. WELSH of Pennsylvania. But under what circumstances will he use his discretion? I want to provide that that discretion shall be exercised only when it is necessary for the preservation of animal or bird life.

Mr. JONES. That is the general policy of the department as to all of these sanctuaries.

Mr. WELSH of Pennsylvania. If that is the purpose of it, will the gentleman interpose no objection to my amendment? All I want to do is to protect the bird life in this refuge and make it a real sanctuary.

Mr. COLTON. I will say to the gentleman that adjoining parts of this land are now in the control of private clubs which are doing this very thing; that is, they are providing fresh water for the ducks, and on those preserves there is shooting. You can not prevent that, and this simply gives to the Secretary

of Agriculture the right to say what part, if any, in his discretion, should ever be used for hunting purposes, and at no time shall it be more than 40 per cent.

Mr. WELSH of Pennsylvania. I believe the gentlemen and myself are in perfect accord as to the purpose sought to be accomplished. Will the gentleman permit an amendment in black and white providing that the Secretary of Agriculture shall use his discretion in permitting gunning only when that permission is necessary for the preservation of wild animal life?

Mr. COLTON. On page 9 the bill provides:

That no person shall take, injure—

And so on—

except in accordance with regulations prescribed by the Secretary of Agriculture: *Provided*, That at no time shall less than 60 per cent of the total acreage of the said refuge be maintained as an inviolate sanctuary for such migratory birds.

Now, I hope the gentleman will not insist further on his amendment, because I feel absolutely sure, after having gone into it thoroughly in the committee, that this is the very best provision that could be included in the bill for the purpose.

Mr. WELSH of Pennsylvania. But there is no limitation upon the exercise of that discretion by the Secretary of Agriculture.

Mr. COLTON. That is the policy of the department.

Mr. WELSH of Pennsylvania. But another Secretary can come in and change that policy overnight and we will have no protection. I am very much in favor of this bird preservation and I know others on this floor are, so I ask the gentleman if he will not accept that amendment.

Mr. COLTON. I would rather not change this language, because it has been carefully considered and worked out and I feel that just now, on the impulse of the moment, to accept an amendment that may tie the hands of the department would not be a good thing to do.

Mr. WELSH of Pennsylvania. I will say to the gentleman I do not want to unnecessarily tie the hands of the department, but there will be other bills of this kind in the future and I feel that if the gentleman adopts a suggestion such as this it is going to make it easier for those of us who are in favor of the conservation of animal life to get those bills passed, and I would like the gentleman to accept the amendment.

Mr. CARSS. Will the gentleman yield?

Mr. WELSH of Pennsylvania. Yes.

Mr. CARSS. Would not the language of the gentleman's amendment prevent all shooting on the reservation?

Mr. WELSH of Pennsylvania. Yes; unless the Secretary of Agriculture considered it to be in the best interests of the preservation of animal life to permit in certain seasons such shooting where there is a scarcity of food, for instance.

Mr. CARSS. There are millions of ducks coming there during the year; suppose there was a shortage of food for them?

Mr. WELSH of Pennsylvania. Then the Secretary could permit gunning.

Mr. CARSS. The Secretary would have to have inspectors go out there and make an examination, and then if he finds that the ducks are suffering from lack of food—

Mr. WELSH of Pennsylvania. Then he can permit gunning. That is the purpose of the amendment.

Mr. CARSS. Then there would be no public shooting on the 40 per cent of the ground.

Mr. WELSH of Pennsylvania. No.

Mr. CARSS. But members of private clubs bordering on this land would have gunning, but the general public would not be allowed to hunt on the property.

Mr. WELSH of Pennsylvania. Not on the public land. If they want to pay for a game preserve of their own, either through club membership or otherwise, that is a different proposition.

Mr. CARSS. Then how could a poor man do any hunting out there?

Mr. WELSH of Pennsylvania. We are not preserving gunning privileges, but establishing a refuge for these birds.

Mr. Chairman, I had not completed the drafting of my amendment and I will withdraw that and now simply offer an amendment amending section 5 by striking out the figures "60" in line 5, and inserting in lieu thereof the figures "80."

This is a compromise with the point of view of the gentleman from Utah and some others.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WELSH of Pennsylvania: On page 9, line 5, strike out the figures "60" and insert in lieu thereof the figures "80."

Mr. COLTON. Mr. Chairman, I hope the amendment will not prevail. This matter has been carefully considered, and I think the amendment should not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

The Clerk read as follows:

SEC. 8. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$350,000, or so much thereof as may be necessary to effectuate the provisions of this act: *Provided*, That not to exceed \$50,000 may be expended for the purchase of land, including improvements thereon.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: On page 10, line 21, strike out "to be available until expended."

Mr. CRAMTON. I understand this is agreeable to the gentleman from Utah.

Mr. COLTON. My understanding is this simply requires the department to report back to Congress each year, and if it needs more money it may secure additional appropriation, so I have no objection.

The amendment to the committee amendment was agreed to.

The Clerk concluded the reading of the committee amendment.

The committee amendment as amended was agreed to.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. KETCHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 3194) to establish the Bear River migratory-bird refuge, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

OVERSEA HIGHWAY, MONROE COUNTY, FLA.

Mr. SEARS of Florida. Mr. Speaker, I ask unanimous consent to take up House Resolution 117 relating to the oversea highway from Key West to the mainland of Florida.

The SPEAKER. The gentleman from Florida asks unanimous consent to take up House Resolution 117, which the Clerk will report.

The Clerk read as follows:

House Resolution 117

Whereas Monroe County, in the State of Florida, has bonded for large sums for the purpose of constructing an oversea highway from Key West to the mainland; and

Whereas the State of Florida, out of the road fund, has spent large sums of money assisting Monroe County in the construction of said road; and

Whereas Dade County has completed her part of the road, which is the main highway from Canada to Key West, known as United States Highway No. 1; and

Whereas this road is now completed except the construction of several bridges; and

Whereas this road when completed will be the national and the ninth wonder of the world, and as it will be of material benefit to the Government in case of war, the Government should construct these bridges, or at least assist in the construction of same: Therefore be it

Resolved, That the United States Bureau of Public Roads is hereby authorized and directed to make a survey with a view of obtaining the cost of the construction of said bridges and report the findings to the House of Representatives at the earliest possible moment.

With the following committee amendment:

After the word "bridges" in the fourth paragraph, strike out all down to the colon in the next paragraph.

The SPEAKER. Is there objection?

Mr. CRAMTON. Reserving the right to object.

Mr. SEARS of Florida. Mr. Speaker, the Committee on Roads has authorized me to call this up. Monroe County has spent nearly \$4,000,000 on this road. Dade County has spent nearly \$400,000, and it is already completed except two very difficult bridges. This does not involve the Government at all.

Mr. CRAMTON. The way the resolution is presented it does involve the Government. There are whereases that commit the Federal Government as I understood the reading, declaring it is of great benefit to the Federal Government, and so forth.

Mr. SEARS of Florida. That was cut out by the committee and I am going to ask unanimous consent to substitute House Joint Resolution 256.

Mr. CRAMTON. What is the purpose of this?

Mr. SEARS of Florida. It is to have a survey and estimate of cost.

Mr. CRAMTON. Why should there be any difference in regard to this than under the general law of Federal highways?

Mr. SEARS of Florida. There is no objection to it.

Mr. CRAMTON. What is the purpose of the resolution?

Mr. SEARS of Florida. There is no intention to bind the Government; we have spent \$5,000,000 of our own money.

Mr. CRAMTON. I think for the present I will object. I know the gentleman from Florida is very alert for his district—

Mr. SEARS of Florida. The Committee on Roads went into the matter thoroughly as the gentleman from Utah [Mr. COLTON], a member of the committee, will state.

Mr. CRAMTON. Is there a report from the Bureau of Roads?

Mr. SEARS of Florida. We had hearings, and the Bureau of Roads indorsed it.

Mr. CRAMTON. There is simply a statement here that it does not object.

Mr. WELSH of Pennsylvania. Will this involve any cost to the Federal Government?

Mr. SEARS of Florida. It should not cost over several hundred dollars, and possibly not that.

Mr. CRAMTON. If the survey is made, the gentleman expects to press the Federal Government to pay a part of the cost of the bridges—more than they would under the Federal aid?

Mr. SEARS of Florida. I want to be perfectly frank with the gentleman; we would not press for more than is given to other bridges of like importance.

Mr. COLTON. Will the gentleman yield?

Mr. SEARS of Florida. Yes.

Mr. COLTON. Is it not a fact that all the information is practically available for a survey, and it would be just a matter of the Federal employees examining the data that is already available?

Mr. SEARS of Florida. That is practically correct. My information is that it is nearly all available.

Mr. CRAMTON. Then it is expressly understood by the statement of the gentleman from Florida that the action of the House in passing this resolution does not in any way bind the Government to any expenditures on these bridges?

Mr. SEARS of Florida. In no way does it bind the Government to pay expenditures in building the bridges. Of course, at the next session I may introduce a bill, but this does not bind the Government in any way.

The SPEAKER. Is there objection?

There was no objection.

Mr. SEARS of Florida. Mr. Speaker, I ask unanimous consent to substitute House Joint Resolution 256, which will meet the objections of the gentleman from Michigan.

The SPEAKER. The gentleman from Florida asks unanimous consent to substitute House Joint Resolution 256. Is there objection?

There was no objection.

Mr. SEARS of Florida. Mr. Speaker, I ask unanimous consent that the resolution be read without the whereases.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read as follows:

Resolved, etc., That the United States Bureau of Public Roads is hereby authorized and directed to make a survey with a view of obtaining the cost of the construction of said bridges and report the findings to the Congress at the earliest possible moment.

Mr. CHINDBLOM. Mr. Speaker, I suggest that the bridges be described in the resolution, the whereases having been stricken out.

Mr. SEARS of Florida. I think I can explain that. There are two main bridges over long stretches of the oversea highway which have not been built. The rest of the bridges have been built.

Mr. CHINDBLOM. But when you strike out the whereases and refer merely to "said bridges," you have no description of the bridges.

The SPEAKER. The Chair understood that the request of the gentleman was to read the resolution without the whereases.

Mr. CRAMTON. This comes up very suddenly. There has been no chance to see what is in those whereases. It is my understanding that they would be omitted. Of course, he will have to have such an amendment as that suggested by the gentleman from Illinois [Mr. CHINDBLOM].

Mr. COOPER of Wisconsin. Mr. Speaker, did I understand the language of the resolution to be to obtain the cost?

The SPEAKER. Without objection, the Clerk will again report the resolution.

There was no objection, and the Clerk again reported the resolution.

Mr. COOPER of Wisconsin. Then I move to strike out the word "obtaining" and insert in lieu thereof the word "ascertaining."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Mr. COOPER of Wisconsin moves to amend, on page 2, line 5, by striking out the word "obtaining" and inserting in lieu thereof the word "ascertaining."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. Did the Chair understand that the gentleman from Florida wished to offer an amendment?

Mr. SEARS of Florida. Mr. Speaker, the gentleman from Michigan [Mr. CRAMTON] says that he does not insist upon that amendment.

Mr. CRAMTON. Mr. Speaker, I have had opportunity to read the whereases. The only one I object to is the one that I understand is stricken out, at the top of page 2. To those on page 1, as follows, I have no objection:

Whereas Monroe County, in the State of Florida, has bonded for large sums for the purpose of constructing an oversea highway from Key West to the mainland; and

Whereas the State of Florida, out of the road fund, has spent large sums of money assisting Monroe County in the construction of said road; and

Whereas Dade County has completed her part of the road, which is the main highway from Canada to Key West, known as United States Highway No. 1; and

Whereas this road is now completed except the construction of several bridges: Therefore be it—

The SPEAKER. The question is on the engrossment and third reading of the resolution as amended.

The joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the joint resolution was amended.

House Resolution 117 was ordered to lie on the table.

LEAVE OF ABSENCE

Mr. GARRETT of Tennessee. Mr. Speaker, I ask leave of absence indefinitely for my colleague Mr. FISHBE, on account of illness.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE PRESIDENT—SALARY OF JUDGE OF UNITED STATES COURT FOR CHINA (S. DOC. NO. 83)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State regarding certain legislation authorizing salary increases for the judge and other officers of the United States Court for China. I concur in the view of the Secretary of State, and I therefore request of the Congress legislation amending section 6 of the act of June 30, 1906, Public, No. 403, Fifty-ninth Congress, and the act of June 4, 1920, Public, No. 238, Sixty-sixth Congress.

CALVIN COOLIDGE.

THE WHITE HOUSE, April 11, 1928.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 405. An act providing for horticultural experiment and demonstration work in the southern Great Plains area;

H. R. 8315. An act for the relief of Charles A. Black, alias Angus Black;

H. R. 5590. An act to authorize appropriations for construction of culverts and trestles in connection with the camp railroad at Camp McClellan, Ala.;

H. R. 5817. An act to provide for the paving of the Government road extending from St. Elmo, Tenn., to Rossville, Ga.; and

H. R. 9829. An act to extend the provisions of the act of Congress approved March 20, 1922, entitled "An act to consolidate national forest lands."

The SPEAKER also announced his signature to an enrolled bill of the Senate of the following title:

S. 1628. An act relating to the Office of Public Buildings and Public Parks of the National Capital.

ADJOURNMENT

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned until to-morrow, Thursday, April 12, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, April 12, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

For the prevention and removal of obstructions and burdens upon interstate commerce in cotton by regulating transactions on cotton-futures exchanges (H. R. 11017 and other bills relating to cotton).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To regulate interstate commerce by motor vehicles operating as common carriers of persons on the public highways (H. R. 12380).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To provide legal-tender money without interest secured by community noninterest-bearing 25-year bonds for public improvements, market roads, employment of unemployed, building homes for, and financing through community banks organized under State laws, its citizens, farmers, merchants, manufacturers, partnerships, corporations, trusts, or trustees, and for community needs of the United States (H. R. 12288).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To amend the World War veterans' act, 1924 (H. R. 10160).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 12354. A bill to grant to the city of Leominster, Mass., an easement over certain Government property; with amendment (Rept. No. 1194). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 8130. A bill authorizing the creation of game refuges on the Ouachita National Forest, in the State of Arkansas; with amendment (Rept. No. 1199). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. S. 757. An act to extend the benefits of certain acts of Congress to the Territory of Hawaii; with amendment (Rept. No. 1200). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 5826. A bill authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Louisiana State Museum, of the city of New Orleans, La., the silver bell in use on the battleship *New Orleans*; with amendment (Rept. No. 1201). Referred to the Committee of the Whole House on the state of the Union.

Mr. REECE: Committee on Military Affairs. H. R. 9373. A bill to amend the act entitled "An act for making further and

more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes; with amendment (Rept. No. 1202). Referred to the Committee of the Whole House on the state of the Union.

Mr. JAMES: Committee on Military Affairs. H. R. 11981. A bill to authorize officers of the Medical Corps to account certain service in computing their rights for retirement, and for other purposes; with amendment (Rept. No. 1203). Referred to the Committee of the Whole House on the state of the Union.

Mr. PEERY: Committee on Interstate and Foreign Commerce. H. R. 5475. A bill granting the consent of Congress to the R. V. Reger Bridge Co. to construct, maintain, and operate a bridge across the Ohio River; with amendment (Rept. No. 1204). Referred to the House Calendar.

Mr. MAPES: Committee on Interstate and Foreign Commerce. H. R. 11404. A bill authorizing the Port Huron, Sarnia, Point Edward International Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.; with amendment (Rept. No. 1205). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 11917. A bill granting the consent of Congress to the county of Cook, State of Illinois, to widen, maintain, and operate the existing bridge across the Little Calumet River in Cook County, State of Illinois; without amendment (Rept. No. 1206). Referred to the House Calendar.

Mr. NELSON of Maine: Committee on Interstate and Foreign Commerce. H. R. 11950. A bill to legalize a pier and wharf in Deer Island thoroughfare on the northerly side at the southeast end of Buckmaster Neck at the town of Stonington, Me.; with amendment (Rept. No. 1207). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 11980. A bill granting the consent of Congress to the Fisher Lumber Corporation to construct, maintain, and operate a railroad bridge across the Tensas River in Louisiana; with amendment (Rept. No. 1208). Referred to the House Calendar.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. H. R. 12317. A bill authorizing the Wabash Bridge Co. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Wabash River at a point in White County, Ill., and Posey County, Ind., at or near New Harmony, Ind., and Crossville, Ill.; with amendment (Rept. No. 1209). Referred to the House Calendar.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 12379. A bill granting the consent of Congress to Howard Seabury to construct, maintain, and operate a dam to retain tidal waters in an unnamed cove which is situated and extends from Cases Inlet into section 28, township 21 north, range 1 west, Willamette meridian, in Pierce County, State of Washington; with amendment (Rept. No. 1210). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 12386. A bill authorizing the State of Texas and the State of Louisiana to construct, maintain, and operate a free highway bridge across the Sabine River at or near Pendletons Ferry; without amendment (Rept. No. 1211). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 12677. A bill to amend section 2 of an act approved March 12, 1928, granting consent of Congress for the construction of a bridge across the Ouachita River at or near Calion, Ark.; with amendment (Rept. No. 1212). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 12676. A bill to amend section 2 of an act approved February 14, 1926, granting consent of Congress for the construction of a bridge across Red River at or near Fulton, Ark.; without amendment (Rept. No. 1213). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. S. 3173. An act authorizing the St. Johns River Development Co., a corporation of the State of Florida, its successors and assigns, to construct, maintain, and operate a bridge across the Suwannee River at a point where State Road No. 15 crosses the Suwannee River, State of Florida; with amendment (Rept. No. 1214). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. S. 3598. An act authorizing Dupo Bridge Co., a Missouri corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Carondelet, Mo.; with amendment (Rept. No. 1215). Referred to the House Calendar.

Mr. REECE: Committee on Military Affairs. H. R. 10649. A bill providing for the transfer of a portion of the military res-

ervation known as Camp Sherman, Ohio, to the Department of Justice; without amendment (Rept. No. 1216). Referred to the House Calendar.

Mr. LANKFORD: Committee on Irrigation and Reclamation. H. R. 8221. A bill to authorize the creation of organized rural communities to demonstrate methods of reclamation and benefits of planned rural development; with amendment (Rept. No. 1217). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 11724. A bill to provide for the paving of the Government road, known as the Ringgold Road, extending from Chickamauga and Chattanooga National Military Park, in the State of Georgia, to the town of Ringgold, Ga., constituting an approach road to the Chickamauga and Chattanooga National Military Park; with amendment (Rept. No. 1218). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Military Affairs. H. R. 12479. A bill authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund; with amendment (Rept. No. 1219). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOFFMAN: Committee on Military Affairs. H. R. 12624. A bill to amend section 17 of the act of June 10, 1922, entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," as amended; with amendment (Rept. No. 1220). Referred to the Committee of the Whole House on the state of the Union.

Mr. FROTHINGHAM: Committee on Military Affairs. H. R. 12688. A bill to authorize appropriations for construction at military posts, and for other purposes; with amendment (Rept. No. 1221). Referred to the Committee of the Whole House on the state of the Union.

Mrs. ROGERS: Committee on World War Veterans' Legislation. H. R. 12821. A bill to authorize an appropriation to provide additional hospital, domiciliary, and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, as amended, and for other purposes; with amendment (Rept. No. 1222). Referred to the Committee of the Whole House on the state of the Union.

Mr. REECE: Committee on Military Affairs. S. 2978. An act authorizing the Secretary of War to donate certain buildings to the city of Tucson, Ariz.; with amendment (Rept. No. 1223). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 11273. A bill to amend section 127a, national defense act, as amended and approved June 4, 1920; without amendment (Rept. No. 1226). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. H. R. 12487. A bill to correct the descriptions of land comprising the Bryce Canyon National Park as contained in the act approved June 7, 1924, entitled "An act to establish the Utah National Park in the State of Utah," and the act approved February 25, 1928, entitled "An act to change the name of the Utah National Park, the establishment of which is provided for by the act of Congress approved June 7, 1924 (43 Stat. 593), to the 'Bryce Canyon National Park,' and for other purposes"; without amendment (Rept. No. 1227). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BECK of Wisconsin: Committee on Claims. H. R. 2817. A bill for the relief of Michael J. Bauman; with amendment (Rept. No. 1195). Referred to the Committee of the Whole House.

Mr. WILLIAMS of Missouri: Committee on Naval Affairs. H. R. 3221. A bill for the relief of Ross F. Collins; with amendment (Rept. No. 1196). Referred to the Committee of the Whole House.

Mr. DRANE: Committee on Naval Affairs. H. R. 5948. A bill for the relief of George Joseph Boydell; with amendment (Rept. No. 1197). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 12764. A bill for the relief of Commander Chester G. Mayo;

without amendment (Rept. No. 1198). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Naval Affairs. H. R. 12844. A bill to amend the naval record of John M. Reber; with amendment (Rept. No. 1224). Referred to the Committee of the Whole House.

Mr. GLYNN: Committee on Military Affairs. H. J. Res. 129. A joint resolution for the appointment of a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; with amendment (Rept. No. 1225). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 12869) granting a pension to Minnie E. Simmons, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KETCHAM: A bill (H. R. 12892) to foster agriculture and to stabilize the prices obtained for agricultural commodities by providing for the issuance of export debentures upon the exportation of such commodities; to the Committee on Agriculture.

By Mr. JONES: A bill (H. R. 12893) to foster agriculture and to stabilize the prices obtained for agricultural commodities by providing for the issuance of export debentures upon the exportation of such commodities; to the Committee on Agriculture.

By Mr. COOPER of Ohio: A bill (H. R. 12894) granting the consent of Congress to the Board of County Commissioners of Trumbull County, Ohio, to construct a free overhead viaduct across the Mahoning River at Niles, Trumbull County, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEET: A bill (H. R. 12895) granting the consent of Congress to the New York Development Association (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the St. Lawrence River near Alexandria Bay, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. UNDERHILL: A bill (H. R. 12896) to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. DALLINGER: A bill (H. R. 12897) to provide for the acquisition of a site and the construction thereon of a fireproof office building or buildings for the House of Representatives; to the Committee on Public Buildings and Grounds.

By Mr. HARDY: A bill (H. R. 12898) to extend the collection-delivery service and limits of indemnity to sealed domestic mail on which the first-class rate of postage is paid; to the Committee on the Post Office and Post Roads.

By Mr. ELLIOTT: A bill (H. R. 12899) authorizing the erection for the use of the Pan American Union of an office building on the square of land lying between Eighteenth Street, O Street, and Virginia Avenue NW., in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. EVANS of California: A bill (H. R. 12900) to convey certain land in the county of Los Angeles, State of California; to the Committee on Military Affairs.

By Mr. MORROW: A bill (H. R. 12901) granting certain public lands to the State of New Mexico for the use and benefit of the Eastern New Mexico Normal School, and for other purposes; to the Committee on the Public Lands.

By Mr. OLIVER of Alabama: A bill (H. R. 12902) granting the consent of Congress to the Alabama State Bridge Corporation, a body corporate under the laws of Alabama, to construct bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, at or near certain points within the State of Alabama; to the Committee on Interstate and Foreign Commerce.

By Mr. WARREN: A bill (H. R. 12903) to provide for the times and places for holding court for the eastern district of North Carolina; to the Committee on the Judiciary.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 12904) amending section 200, World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. KVALE: A bill (H. R. 12905) to prevent corrupt practices in the nomination and election of President and Vice President of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 12906) to prevent the use of Federal official patronage in elections and prohibit Federal officeholders

from misuse of positions of public trust for private and partisan ends; to the Committee on the Judiciary.

Also, a bill (H. R. 12907) to extend the Federal corrupt practices act to primary elections of Senators and Representatives; to the Committee on the Judiciary.

By Mr. McKEOWN: A bill (H. R. 12908) to distribute \$50,000,000 of the "cotton-tax fund" in the Treasury to the widows of soldiers and sailors of the Civil War and to Confederate soldiers, sailors, and their widows; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 12909) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the Newport-Asheville (N. C.) road, in Cooke County, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 12910) to amend section 3 of the act to provide for the better registration of births in the District of Columbia, approved March 1, 1907; to the Committee on the District of Columbia.

By Mr. McSWAIN: A bill (H. R. 12911) to honor the memory of the heroes of the fight against yellow fever; to the Committee on Military Affairs.

By Mr. PEAVEY: A bill (H. R. 12912) authorizing the St. Croix Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the St. Croix River on the Grantsburg Road; to the Committee on Interstate and Foreign Commerce.

By Mr. CHASE: A bill (H. R. 12913) to extend the times for commencing and completing the construction of a bridge across the Allegheny River at or near the borough of Eldred, McKean County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. CLANCY: A bill (H. R. 12914) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. DOUGLAS of Arizona: A bill (H. R. 12915) to create a board of engineers to make recommendations relative to flood control on and development of the Colorado River, to authorize the erection of flood-control structures on the Colorado River, and for other purposes; to the Committee on Flood Control.

By Mr. HOUSTON of Hawaii: A bill (H. R. 12916) to provide for an investigation of fisheries in the Territory of Hawaii; to the Committee on the Merchant Marine and Fisheries.

By Mr. LEHLBACH: A bill (H. R. 12917) authorizing certain importers of sugar into the United States from the Argentine Republic during the year 1920 to submit claims to the Court of Claims; to the Committee on Agriculture.

By Mr. CLANCY: Joint resolution (H. J. Res. 269) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ZIHLMAN: Concurrent resolution (H. Con. Res. 30) to provide for the printing of additional copies of the hearings held before the Committee on the District of Columbia of the House of Representatives on bills relative to capital punishment in the District of Columbia; to the Committee on Printing.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. CULLEN: Memorial of the Legislature of the State of New York, in regard to the New York-Great Lakes canal; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 12918) granting a pension to John Thresher; to the Committee on Pensions.

By Mr. CONNERY: A bill (H. R. 12919) granting a pension to Annie McCarthy; to the Committee on Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 12920) granting an increase of pension to Florence P. Sperry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12921) granting an increase of pension to Rhoda E. Sperry; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 12922) for the relief of Joseph Zittle; to the Committee on War Claims.

By Mr. W. T. FITZGERALD: A bill (H. R. 12923) granting an increase of pension to Sarah J. Draper; to the Committee on Invalid Pensions.

By Mr. FREE: A bill (H. R. 12924) granting a pension to Amy P. Arth; to the Committee on Pensions.

By Mr. GUYER: A bill (H. R. 12925) granting a pension to Josephine Pingard; to the Committee on Pensions.

By Mr. HOFFMAN: A bill (H. R. 12926) authorizing preliminary examination and survey of east branch of Shrewsbury River, N. J.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12927) granting an increase of pension to Joanna J. Reid; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 12928) granting a pension to Homer Dye; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 12929) granting an increase of pension to Mary Shotwell; to the Committee on Invalid Pensions.

By Mr. MOORMAN: A bill (H. R. 12930) for the relief of C. B. Smith; to the Committee on Claims.

By Mr. MOORE of Virginia: A bill (H. R. 12931) for the relief of Edward B. Fox, administrator of the last surviving partner of the firm of Child, Pratt & Fox; to the Committee on War Claims.

By Mr. OLDFIELD: A bill (H. R. 12932) granting a pension to Celia Chappelle; to the Committee on Pensions.

By Mr. RAGON: A bill (H. R. 12933) granting an increase of pension to Joseph Z. Bailey; to the Committee on Pensions.

By Mr. SCHNEIDER: A bill (H. R. 12934) granting an increase of pension to Rosa Helms; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 12935) granting a pension to Margaret McCarty; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 12936) granting an increase of pension to Eliza Jane Brill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12937) granting an increase of pension to Sarah E. McGill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12938) for the relief of the State of Ohio; to the Committee on Military Affairs.

By Mr. SWICK: A bill (H. R. 12939) granting an increase of pension to Isabella Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12940) granting an increase of pension to Ella J. Aber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12941) granting an increase of pension to Martha E. Moffatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12942) granting an increase of pension to Drusilla Hanna McIntyre; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 12943) for the relief of William A. Smale; to the Committee on Foreign Affairs.

By Mr. TARVER: A bill (H. R. 12944) granting a pension to Frank Patty; to the Committee on Pensions.

By Mr. THATCHER: A bill (H. R. 12945) granting an increase of pension to Mariah Detherage; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6667. By Mr. CHINDBLOM: Petition of Anna M. Miller and 43 other citizens, urging the passage of legislation providing increased pensions for Civil War survivors and widows; to the Committee on Invalid Pensions.

6668. By Mr. CRAIL: Petition of sundry citizens of Los Angeles County, Calif., favoring pension legislation; to the Committee on Pensions.

6669. Also, petition of Fort Whipple Chapter, No. 3, Disabled American Veterans, for the passage of House bill 11350, introduced by Congressman ROYAL JOHNSON; to the Committee on World War Veterans Legislation.

6670. By Mr. EVANS of California: Petition of Fred E. Nienhuser and 35 other citizens of Van Nuys, Calif., protesting against the Curtis-Reed education bill; to the Committee on Education.

6671. Also, petition of Harry C. Clark and 21 others, for the relief of commissioned chief and warrant officers of the Navy; to the Committee on Naval Affairs.

6672. By Mr. W. T. FITZGERALD: Petition of the Woman's Christian Temperance Union of New Madison, Ohio, favoring House bill 11410, to amend the national prohibition act; to the Committee on the Judiciary.

6673. By Mr. GUYER: Petition of 38 citizens of Douglas, Jefferson, and Leavenworth Counties, Kans., protesting the enactment of compulsory Sunday observance legislation, particularly House bill 78; to the Committee on the District of Columbia.

6674. Also, petition of citizens of Kansas, asking enactment of greater pension allowances for survivors of Civil War and widows of Civil War soldiers; to the Committee on Invalid Pensions.

6675. By Mr. HASTINGS: Petition of citizens of Muskogee, Okla., urging early action on a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6676. Also, petition of citizens of Adair County, Okla., urging early action on a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6677. By Mr. HERSEY: Petition of Thomas G. Crawford and five others, of Presque Isle, Me., urging Sunday observance bill be defeated; to the Committee on the District of Columbia.

6678. By Mr. HOWARD of Nebraska: Petition signed by James P. Peterson, of Fremont, Nebr., and 11 other citizens of that city, protesting against the passage of the Lankford bill (H. R. 78), providing for compulsory observance of the Sabbath, or any other proposed legislation which provides compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

6679. By Mr. WILLIAM E. HULL: Petition of H. C. Lamp and 72 others, of Peoria County, Ill., for increase of pension; to the Committee on Invalid Pensions.

6680. By Mr. JOHNSON of Texas: Petition of Palestine Chamber of Commerce, Palestine, Tex., opposing House bill 12620, Parker railroad consolidation bill; to the Committee on Rules.

6681. By Mr. KORELL: Memorial of Thirty-fourth Legislative Assembly of the State of Oregon, favoring the improvement, extension, and development of Portland's port and harbor facilities; to the Committee on Rivers and Harbors.

6682. By Mr. LANKFORD: Petition of the Wood Poster Advertising Co., of Brunswick, Ga., J. A. Wood, manager, opposing Senate bill 1752, for the abolition of Government-printed stamped envelopes with corner cards; to the Committee on the Post Office and Post Roads.

6683. By Mr. MAGRADY: Petition signed by numerous citizens of Shamokin, Pa., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6684. Also, petition of numerous citizens of Montour County, Pa., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6685. By Mr. MOORE of Kentucky: Petition signed by S. M. Davis, C. W. Ray, and 16 other residents of Edmonson County, Ky., urging that immediate steps be taken to bring to a vote a Civil War pension bill for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

6686. By Mr. MOONEY: Petition of East Cleveland Post, No. 163, the American Legion, indorsing the Capper-Johnson universal draft bill (H. R. 8313); to the Committee on Military Affairs.

6687. By Mr. MOORMAN: Petition from citizens of Rockport, Ky., in favor of raising the widows' pension to \$50 per month; to the Committee on Invalid Pensions.

6688. Also, petition in favor of granting pension increase to Civil War widows; to the Committee on Pensions.

6689. By Mr. O'CONNELL: Petition of the Navy League of the United States, Washington, D. C., with reference to the Geneva naval conference and the five-power naval armament limitation maintained on a basis other than that of Washington treaty; to the Committee on Naval Affairs.

6690. Also, petition of Droste & Snyder (Inc.), New York City, N. Y., opposing the passage of the McNary-Haugen farm relief bills; to the Committee on Agriculture.

6691. Also, petition of the conference committee, American Federation of Labor, General Federation of Women's Clubs, and manufacturers, favoring the passage of the Hawes-Cooper bill (S. 1940 and H. R. 7729); to the Committee on Labor.

6692. By Mr. PALMISANO: Papers to accompany House bill 12759, a bill for the relief of Sanford & Brooks Co. (Inc.); to the Committee on Claims.

6693. By Mr. PEAVEY: Petition of the town boards of the towns of Daniels, Anderson, Siren, Wood River, and Grantsburg, favoring the authorization of the construction of an interstate bridge across the St. Croix River connecting Wisconsin State Highway No. 70 with Minnesota Highway No. 9; to the Committee on Interstate and Foreign Commerce.

6694. Also, resolution by the members of the Commercial Club of Grantsburg, Wis., favoring the authorization of the construction of a bridge across the St. Croix River between Burnett County, Wis., and Pine County, Minn.; to the Committee on Interstate and Foreign Commerce.

6695. By Mr. QUAYLE: Petition of American Federation of Labor, General Federation Women's Clubs, and manufacturers

of New York City, urging the passage of the Hawes-Cooper bill; to the Committee on Labor.

6696. Also, memorial of the Legislature of the State of New York, with reference to the project of an all-American ship canal across the State of New York, connecting the Great Lakes with the Atlantic Ocean; to the Committee on Rivers and Harbors.

6697. Also, petition of Droste & Snyder (Inc.), of New York City, opposing the passage of the McNary-Haugen bill; to the Committee on Agriculture.

6698. Also, petition of Gottfried & Marshall, of New York City, opposing the passage of the McNary-Haugen bill; to the Committee on Agriculture.

6699. By Mr. SELVIG: Petition of Evaline McDonald, Ulen, Minn., and 101 other residents of Clay County, Minn., urging Congress to act on the Civil War pension bill revising rates paid to Civil War survivors and their widows; to the Committee on Invalid Pensions.

6700. By Mr. SPEAKS: Petition signed by Mae M. Vosper and 11 citizens of Franklin County, Ohio, urging enactment of legislation for the relief of Civil War veterans and their dependents; to the Committee on Invalid Pensions.

6701. By Mr. TEMPLE: Petition of a number of residents of Washington County, Pa., in support of legislation increasing the rate of pension to Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6702. Also, petition of Federation of Greene County (Pa.) Women, Waynesburg, Pa., in support of House bill 11410, to amend the national prohibition act; to the Committee on the Judiciary.

6703. Also, petition of the congregation of the West Alexander Presbyterian Church, West Alexander, Washington County, Pa., in support of the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

6704. By Mr. VINCENT of Michigan: Petition of sundry citizens of Saginaw and Portland, Mich., favoring higher pension rates for Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6705. By Mr. WINTER: Resolution by Marion Tanner Post, No. 29, the American Legion, Basin; Lions Club, Torrington; Jacksons Hole Post, No. 43, the American Legion, Jackson; Lions Club, Cheyenne; Chamber of Commerce, Cheyenne; Lions Club, Kemmerer; Washakie Post, No. 61, the American Legion, Pavilion; and Lions Club, Riverton; all in the State of Wyoming; to the Committee on Irrigation and Reclamation.

SENATE

THURSDAY, April 12, 1928

(Legislative day of Monday, April 9, 1928)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 3224. An act to extend the provisions of the forest exchange act, approved March 20, 1922 (42 Stat. 465), to the Crater National Forest, in the State of Oregon; and

S. 3225. An act to enlarge the boundaries of the Crater National Forest.

The message also announced that the House had passed the bill (S. 3194) to establish the Bear River migratory-bird refuge, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 12632. An act to provide for the eradication or control of the European corn borer;

H. J. Res. 200. Joint resolution to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild life and fish refuge," approved June 7, 1924;

H. J. Res. 244. Joint resolution authorizing a modification of the adopted project for Oakland Harbor, Calif.; and

H. J. Res. 256. Joint resolution authorizing the United States Bureau of Public Roads to make a survey of the uncompleted bridges of the Oversea Highway from Key West to the main-